



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Tuesday 31 October 2023**



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

<sup>1</sup> Lib until 27 March 2023

<sup>2</sup> LDP until 26 July 2023

### Party abbreviations

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

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

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

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



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**Tuesday 31 October 2023**

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

*Bills*

**Summary Offences Amendment (Nazi Salute Prohibition) Bill 2023**

**Bail Amendment Bill 2023**

**Education and Training Reform Amendment (Land Powers) Bill 2023**

*Royal assent*

**The PRESIDENT (12:03):** I have a message from the Governor, dated 20 October:

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

**27/2023** Summary Offences Amendment (Nazi Salute Prohibition) Act 2023

I have received a further message from the Governor, dated 24 October:

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

**28/2023** Bail Amendment Act 2023

**29/2023** Education and Training Reform Amendment (Land Powers) Act 2023

**Triple Zero Victoria Bill 2023**

*Clerk's corrections*

**The PRESIDENT (12:04):** I advise the house of a Clerk's correction to the Triple Zero Victoria Bill 2023. Under standing order 14.34, I have received a report from the Clerk of the Legislative Council informing the house that he has made a correction in the schedule of amendments made by this house to the Triple Zero Victoria Bill 2023. The report is as follows:

Under Standing Order 14.34, I have made a correction in the Schedule of amendments made by this House to the Triple Zero Victoria Bill 2023, listed as follows:

In Amendment 5 of the Schedule to the Bill, I have changed "subsection" to "subsection".

*Questions without notice and ministers statements*

**Medically supervised injecting facilities**

**Georgie CROZIER (Southern Metropolitan) (12:05):** (320) My question is to the Minister for Mental Health. Minister, on 4 December 2020, former minister Martin Foley told PAEC in answer to a question on when the Lay report would be made public:

... I have had conversations as recently as last week with Mr Lay, and we are still hopeful ... that the response will be forthcoming in the time frame that the government has set.

Minister, that was nearly three years ago. What is the time frame that the government has set for the Lay report to be released to the Victorian public?

**Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:06):** I thank Ms Crozier for her question. It is an important issue and of course one that I think I have already indicated to the house will be a priority for the Allan Labor government and indeed for me as the relatively new Minister for Mental Health to respond to. Of course Ken Lay's report is very detailed and important, and I have had the opportunity now to read his report. The government is considering the recommendations contained within it and will respond to Mr Ken Lay's report in due course. What I will say – and I have been on the record as saying this

previously – is that these are not simple matters. These are complex matters, and it is important that when the government formulates its response to Mr Lay’s report we consider carefully the issues around harm minimisation, health and safety, and amenity. Indeed there has been extensive consultation undertaken by Mr Lay, which he has reported on in his report, and that is an important thing for the government to consider. I want to make sure that we get this right, so the government will respond to his report in due course.

**Georgie CROZIER** (Southern Metropolitan) (12:07): Minister, the unwillingness of your government to be up-front with the Victorian public about recommendations in the Lay report is now beyond farcical. Up to 10 drafts of the Lay report have been put before the government in the past three years, covering now four different Labor ministers for mental health. The government has had months to consider the recommendations of the final report, yet you are saying the government needs even more time. You are saying it is a priority, but you are saying it will be released in due course. How much more time will you need before you release the Lay report, which Victorians have every right to see, or will it be another example of more excuses until you get moved on to another portfolio and it becomes yet another minister’s decision?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:08): I thank Ms Crozier for her supplementary question. I think that she is conflating a number of different issues there in her supplementary. What I have said quite clearly is that, as the new minister who has been in the portfolio for about three weeks, I am treating this matter as a priority. I have no announcements to make today, Ms Crozier, in question time, but the government will respond to Mr Lay’s report in due course.

*Members interjecting.*

**Ingrid STITT**: And I will take up that interjection. Yes, I have read the report.

### Housing

**Samantha RATNAM** (Northern Metropolitan) (12:09): (321) My question is to the Minister for Housing. Minister, I refer to the government’s privatisation of the former public housing site at Abbotsford Street in North Melbourne under Labor’s public housing renewal program, which is a blueprint for the large-scale demolition and privatisation of 44 more public sites. The development of this site was supposed to include priority homes for first home owners. A constituent contacted me recently after having her contract to purchase one of these apartments as a first home owner cancelled. This occurred less than 20 days after she had been reassured by Homes Victoria the project was on track. We now understand the developer, MAB, and Homes Victoria have cancelled their development agreement, leaving those who trusted the government in the lurch. The rationale given by the developer was that they were not selling enough apartments, yet this is a development on public land that the government marketed would help to increase affordable housing. We are yet to find out what happens now. Minister, doesn’t this debacle demonstrate that the privatisation of public housing estates is failing?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:10): Thank you, Dr Ratnam, for your question. Ordinarily I would begin by perhaps acknowledging that questions on housing, on public social community housing and indeed on the broader work within the housing statement are asked in good faith, but on this occasion I am not going to do that, because in the first instance you have not sought to reach out with any specific concerns that I am aware of about the constituent or the community member that you have referred to in your question, unlike one of your colleagues from the other place – in fact a couple of colleagues of yours from the other place – who have done that. I am really, really prepared and ready and willing and able to assist, as is my office, as is the department, with specific examples or concerns that you raise, but what I will call out in the course of questions like this is the use of individual examples of questions or concerns then being the starting point for a weaponisation of the social housing work and this record investment of more than \$6.3 billion into social housing across the state. Dr Ratnam, no matter how



many times you or your colleagues seek to characterise a record investment of thousands of additional social housing dwellings across the state as being a knockdown removal of access for people to social housing –

**Samantha Ratnam:** On a point of order, President, I have tried in good faith to give the minister enough time to respond to the substance of my question, which was about the privatisation of public housing estates and this being an example of the project failing and asking for the Minister for Housing's response to the failure of the privatisation. I would like her to respond to my question, please.

**The PRESIDENT:** I believe the minister was relevant to the question.

**Harriet SHING:** Dr Ratnam, I am quite literally addressing the very core of the question that you got to eventually. When we talk about development of the tower sites and those 44 towers that have reached the end of their operational lives and we talk about an uplift of 10 per cent in the amount of social housing for these sites, the thing that you choose to focus on is some confected myth which weaponises the issue of people's desire to get information about their futures and seeks to cast a wholesale narrative about people who really deserve access to accurate information being held to ransom by these cheap political shots that you are intent upon pursuing. If you want to have a discussion about the development of these sites and about the \$6.3 billion in social housing across the state, then let us do it. But let us do it in good faith.

**Samantha RATNAM** (Northern Metropolitan) (12:13): Minister, you just spent the entire answer time attacking the format and the tone of my question. This is a real-life constituent who has had her first home owner contract cancelled by a developer that is contracted by Homes Victoria. Under your watch this program is failing, and you are using it as a blueprint to expand it to 44 public housing towers. It is a matter of public interest. To follow up, we also understand individuals who had contracts for affordable apartments in the development were contacted by MAB prior to the government cancelling their contracts, with MAB offering to facilitate their exit from the contract, refund the deposit, pay the solicitors' fees and any interest on the deposit and also provide a smooth transition into a contract of sale in any other of MAB's developments, despite these not being affordable. Essentially MAB was trying to pressure people to give up on their contracts for an affordable home because it was not making enough money, yet Homes Victoria on its website is still spruiking that the development will be given priority to first home owners. Can you confirm that MAB will continue to profit from being allowed to build on public land after it has kicked beneficiaries of your policy out of it in such a disgraceful way?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:14): Dr Ratnam, again, I referred to this very issue in the answer that I gave to the substantive question. You pulled me up on a point of order after I had done precisely that. I have given you a very, very clear commitment that I am happy to engage with you on specific matters as you raise them – or indeed any of your colleagues or indeed anyone around this place or indeed anyone from the other chamber about matters which people want information about. I am really happy to engage with you. What I am not happy to do is stand here –

**Samantha Ratnam:** On a point of order, President, once again to the subject of relevance of the response, I have asked a very specific direct question about a constituent and about a cancellation of contract. I seek for the minister to respond to my substantive question, please.

**The PRESIDENT:** I once again believe the minister was relevant to the question.

**Harriet SHING:** Dr Ratnam, you have just asked me to respond to your substantive question. I have done that. You have got a supplementary question that you have put to me. As I have said, I am really happy to seek further information for you in relation to these matters, but perhaps if you actually talk and raise these issues, we can get to the heart of them without the need for this weaponisation that will probably make it onto TikTok before the end of question time.

**Ministers statements: skills plan**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:16): Last week I launched the second annual Victorian skills plan. It reinforces that Victoria continues to set the benchmark for skills and training in Australia. We are the national leaders in reform. We are building and uniting the system. We introduced free TAFE in 2019, and now we are in an era where power and purpose of vocational education and training are front and centre.

The annual skills plan is critical to ensuring that we have a strong, qualified and proud workforce now and into the future. The plan ensures that we are delivering what is right and what is needed. It has informed outstanding policy decisions to support many Victorians, such as introducing scholarships for nurses, midwives and secondary school teachers and widening the eligibility for free TAFE, and is a driving force behind the 10-year *Clean Economy Workforce Development Strategy 2023–2033*. The plan clearly states that over the next three years we will need 352,000 new workers. It highlights the skills needed and the jobs that will be created by the Allan Labor government. It is a plan for all of Victoria. From Wodonga to the Wimmera, regional skills taskforces have played a critical role in ensuring the needs of the regions are being implemented.

This plan is a call to action for everyone so that it can beat the path to innovation, inclusion, cutting-edge technology and of course applied research. It ensures our TAFEs, registered training organisations, Learn Locals, universities, employers and industry work together. This will lead to true parity between vocational education and training, the TAFE sector and of course the university sector. Every Victorian has the right to access quality high-skilled training in this state, and it is this government that is doing exactly that.

**Decriminalisation of public drunkenness**

**Evan MULHOLLAND** (Northern Metropolitan) (12:18): (322) My question is to the Minister for Mental Health. Minister, when will the sobering-up centre in Collingwood be up and running?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:18): I thank Mr Mulholland for his question. Of course I think it is important to restate what is driving these reforms from the government’s perspective. This is really all about removing public intoxication as a criminal matter to be dealt with by VicPol and actually ensuring that we have a health-led response to people who find themselves in need of assistance through public intoxication. The reason why these reforms are so important of course is because we know that, disproportionately, the current laws have impacted Aboriginal people to a far greater extent than the rest of the population, and the change to the law in Victoria will bring us into line with the majority of states and territories. It will also I think be a significant step for the many, many people within Victoria’s Aboriginal community who have lobbied for so long for this change. It does address not only the Aboriginal deaths in custody royal commission from decades ago but also importantly the coronial inquest into the tragic loss of Tanya Day. It is important, I think, to not lose sight of the reasons why we are pursuing this reform.

In terms of the Cambridge Street sobering-up service, I can indicate that this is a service that is going to play an important role. But the vast majority of people will simply need a little bit of assistance in getting home safely, and that will be done through the health-led response that we are building, which will be dedicated services through coordination and a centralised intake and referral and dispatch service. At Cambridge House, the advice that I have is that there have been some small delays associated with the construction of the service. I am advised that the practical completion date of that construction will occur before 7 November. As with any new service, there are a small number of final preparation activities that need to be undertaken and put in place before the service can begin operation. I am very confident that it will be operational by the end of November.

**Evan MULHOLLAND** (Northern Metropolitan) (12:21): Minister, on Sunday you could not confirm whether any staff have been hired to operate the facility to deliver the health-led response. Could you today confirm that you have checked with Cohealth and can provide an update to the Victorian community about whether this facility has any staff?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:21): Obviously the arrangements for staffing are a matter for Cohealth, but in the contract that Cohealth will hold with the government to deliver this important service, staffing arrangements are obviously part of that. They will be directly employed by Cohealth. The advice that I have is that the onboarding process for staff will be commencing shortly. As soon as that site is handed over to Cohealth, those staffing arrangements will be put in place.

### Roadside vegetation

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:22): (323) My question today is for the minister representing the Minister for Roads and Road Safety. In our regional areas it has become prevalent that the grass on the nature strips of paddocks and at major intersections is excessively long, so much so that it is putting road users at risk through lack of visibility at those intersections. It has also created a fire hazard through the accumulation of tree dead fall and dry grass fuel loading. Traditionally in these areas local farmers would collect the dead fall for firewood and strip-graze their cattle along these roadways, thus creating their own mini circular ecological economies. Since both of these practices are now illegal, I ask: can the minister explain what measures are being taken to eradicate these hazards?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:23): Thank you, Mrs Tyrrell, for that question, which raises a number of concerns, particularly around the upcoming summer season. We know the risk of grassfire is an inherent part of the summer season, and it is a cause of great anxiety as we head toward those El Niño weather events, which are characterised, as you know, by those really prolonged hot weather conditions. I am very happy to seek an answer for you in accordance with the standing orders.

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:24): Can the minister coordinate a strategy to rectify this issue between herself and the ministers for environment, agriculture and/or emergency services before summer increases the risk?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:24): Thank you very much, Mrs Tyrrell. Again, I will refer that, but interestingly and perhaps relevantly to your supplementary question, there is a roadside fuel management working group, and that brings together the Department of Transport and Planning, DEECA, the CFA, V/Line and VicTrack to support the way in which risks are identified and prioritised. No doubt the minister responsible in the other place will have more information to provide to you in relation to that matter, and I will seek a response in accordance with the standing orders.

### Ministers statements: care leavers redress scheme

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:24): I rise to update the house on our government's commitment to care leavers. The Allan Labor government acknowledges the trauma of historical abuse and neglect that too many Victorian children experienced while placed in institutional care. Between 1928 and 1990 an estimated 90,000 children were placed in care because of economic stress, social disadvantage, being orphaned or having a single parent or a parent with mental illness. As I mentioned in this place a few weeks ago, I recently visited the Australian Orphanage Museum. It is a unique museum dedicated to documenting and exhibiting authentic social histories about the experience of growing up in orphanages, children's homes, missions and other institutions, including foster care. I was deeply moved by the stories of many of these children, also known as forgotten Australians, who grew up not knowing their families. Their grief and their trauma continue today, with many experiencing poverty, homelessness and mental

illness as a result of the abuse they experienced. I would like to acknowledge the care leavers who are at Parliament today and thank them for their tireless advocacy, and I want to say to them and the many that join them across our state that our government see you and we hear you.

I am pleased to update the house that the Premier will make a formal apology in Parliament on the government's behalf to survivors of all forms of abuse in institutional settings in the last week of November this year. Our government has committed to establishing a redress scheme for Victorians who were placed in orphanages, children's homes and missions and experienced physical, psychological and emotional abuse or neglect. This scheme will build on support available through the national redress scheme set up after the Royal Commission into Institutional Responses to Child Sexual Abuse. In the lead-up to the design of this scheme, urgent hardship payments of up to \$10,000 will be available for care leavers in exceptional circumstances, and as part of a co-design process with care leavers we will draw on the models of other similar schemes to ensure it is meaningful, healing and respectful.

### **Decriminalisation of public drunkenness**

**Evan MULHOLLAND** (Northern Metropolitan) (12:26): (324) My question is to the Minister for Mental Health. I was out in the community in Collingwood yesterday in my electorate, and locals told me that last week the community who live in close proximity to the sobering-up centre were to have a meeting with Cohealth but Cohealth cancelled at the last minute, saying no-one had RSVP'd, but there was actually no RSVP requirement and the community were extremely disappointed that they could not have an opportunity to meet with Cohealth. The community wrote to you last week requesting an intervention and an urgent meeting with Cohealth, given the centre was to begin operating next week. What action have you taken to ensure this meeting occurs?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:27): I thank Mr Mulholland for his question, and I can confirm that I have had correspondence from one resident in Collingwood who lives close to the facility. I can advise the house that I have responded in writing to that correspondent, and I have indicated that Cohealth and my department are available to meet with residents to go through some of the very operational questions that were contained in the correspondence that I received. I think it is important that that offer is accepted and my department and Cohealth stand ready to provide that briefing.

**Evan MULHOLLAND** (Northern Metropolitan) (12:28): Minister, given the sobering-up centre was to begin operation in seven days and the community have had no to little consultation, can you confirm when this meeting will occur?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:28): I think my answer to the original question from Mr Mulholland actually addressed that. If he would like to provide me with any additional information, I would be happy to receive it. But the offer stands. I have written back to the resident in Collingwood who contacted me and indicated that the Department of Health and the provider Cohealth are available. Let us get it happening.

### **Nazi salute prohibition**

**David LIMBRICK** (South-Eastern Metropolitan) (12:29): (325) My question is for the Attorney-General. During the last sitting week the Parliament passed the Nazi salute prohibition bill, with it heading straight to the Governor for royal assent so it could be made law and come into effect with urgency. I opposed the bill at the time. I thought it was likely to be counterproductive and predicted that it would be quickly tested, either with the laws shown to be ineffective or with the pathetic Nazis of Melbourne creating their first martyr. I was not alone with these concerns, with civil rights group Liberty Victoria echoing them. Even I did not expect the rapid turnaround, with a convicted neo-Nazi performing the salute right as they walked out of court, and police are now investigating. My question for the Attorney-General is this: do you remain confident that these laws will be effective?

**The PRESIDENT:** Mr Limbrick, would you like to rephrase that so it is not asking for an opinion?

**David LIMBRICK:** Thank you, President. Does the Attorney-General have any evidence that these laws are effective?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:30): Thank you, Mr Limbrick, for your question. I am a bit stuck here because I do not want to reflect on an individual matter that has been reported on. I certainly have not been briefed in any formal way in relation to that matter. But I think we had an extensive conversation around the purpose of these laws. They are to respond to the harm caused by such offensive behaviour, and that is what they are focused on. Will we have examples of people flouting the law, people behaving inappropriately? Sure. That is human behaviour. I have never said that the laws are going to stop people being neo-Nazis. I wish they could. They do not, but what they do do is send a message to the community that such symbols, such gestures, are inappropriate in our community when they are directed in public to those that find them very offensive, very harmful. When that conduct occurs, these laws will be very useful to respond to that behaviour.

**David LIMBRICK** (South-Eastern Metropolitan) (12:31): I thank the Attorney-General for her answer. I also share the concerns about these groups, and I am concerned that these laws will actually make things worse, because it seems that there is very little wriggle room in the law. In my view there is a significant risk that any trial would simply become a show trial and give these people an opportunity to further promote their ideology. Worse is the prospect of a High Court challenge, arguing that their actions are a protected form of political communication. It is perhaps an oversight that no questions were asked about this in the committee stage of debate and there was not any comment on it in the SARC report. What is the Attorney-General doing to prevent any potential trial or challenge being used as a recruitment tool in the future?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:32): I think there is a bit of self-reflection in relation to the committee stage of the bill. In terms of legislation that we know has the potential to be challenged, we examine these issues and we make a judgement call on whether you have laws that will stand up to constitutional challenge, High Court challenge and the like, and we have received advice in relation to crafting of that bill that we are not beyond challenge. Of course very few laws are, but we are confident that we have set the right balance in relation to how it responds to charter issues and the like. Let us see how these laws go. I think there is a bit of wriggle room; you described them as not. This is sending a signal to the community about appropriate behaviour. Police will have an extra tool. We had the discussions about, in practice, them saying to people, ‘That’s really inappropriate; don’t do that.’ If they do not comply, that is when the laws become useful. I think it is an additional tool for the management of behaviour that we have seen appear in Victoria, and it is something that we do not want to see continue.

#### **Ministers statements: Australian Vietnamese Women’s Association**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:33): Last week I had the honour of joining the federal minister for multicultural affairs Andrew Giles, the federal member for Fraser Daniel Mulino and our colleague in this place Shadow Parliamentary Secretary for Multicultural Affairs Mr Luu at the Australian Vietnamese Women’s Association 40th anniversary annual general meeting.

Since its establishment in 1983, the Australian Vietnamese Women’s Association have been supporting their community to assist in settlement and harmonious transition for Vietnamese refugee and migrant communities. It is impossible to think of Victoria without thinking of the rich contribution to the fabric of our society that Vietnamese communities have made in the short period of time since the 1970s and 80s in Australia. The AVWA has made an enormous contribution to ensuring that newly arrived Vietnamese women understand their rights and gain access to the services and support they need to reach their full potential. Victoria is proudly one of the most culturally diverse societies in the world, with many thousands of Victorians of Vietnamese heritage calling our state home.

I want to thank CEO Nicky Chung for her ongoing leadership, together with members of the committee of management. With its mission to serve and empower Vietnamese women with integrity, respect and compassion, the association continues to provide that unity and cultural preservation for so many Victorians, especially new and emerging community members.

**Richmond medically supervised injecting facility**

**Georgie CROZIER** (Southern Metropolitan) (12:35): (326) My question is to the Minister for Mental Health. Minister, last Thursday a man walked out of the safe injecting room in North Richmond and was found unresponsive on the footpath outside the primary school. Minister, what is the government's duty of care to the user and the community?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:35): I thank Ms Crozier for her question. Of course it is important, I think, that we all reflect and remember what drove the calls for a medically supervised injecting room in North Richmond in the first place, and that is literally decades of harm associated with drug use in the area – deaths, sirens and lights. We know that the facility has managed since its inception more than 6500 overdoses and saved at least 63 lives. It has taken pressure off local hospitals in that area, and it has reduced ambulance call-outs in the area. Of course, importantly –

**Nicholas McGowan**: On a point of order, President, answers are required to be factual. The minister has stated that the injecting room has saved 63 lives. I ask for the factual basis for that assertion.

**The PRESIDENT**: There is no point of order. You have no evidence that it is not factual.

**Ingrid STITT**: As I was saying, the government's focus in providing a medically supervised injecting room in the North Richmond community is in response to the enormous amount of harm in that community from having had no such health response and health support available. I think it is very important to also acknowledge that when people are using the medically supervised injecting room we are actually in a position to be able to provide that wraparound support and offer people a pathway out of addiction through the additional services.

Ms Crozier has asked about a particular incident that occurred outside of the medically supervised injecting room. I am not briefed on that individual matter, but what I will say is that the government does not resile from the fact that this facility is doing what it was intended to do, and that is save lives and make sure that there are fewer overdoses in the streets of North Richmond, that people are getting the medical care that they need and, in addition to that, that people are being provided with wraparound supports for a range of other issues to get them on a pathway to recovery and to turn their lives around. I for one, as Minister for Mental Health, will not participate in stigmatising people that are in that situation.

**Georgie CROZIER** (Southern Metropolitan) (12:38): President, I am sure you will deal with it later, but the minister did not answer the question around duty of care, but she did refer in her answer to the number of ambulance call-outs having reduced. Minister, five emergency vehicles, including four ambulance crews, were in attendance dealing with this man who was found unresponsive on the footpath after he had left the injecting room and come and collapsed on the footpath, so he was inside using drugs and then came outside and collapsed. So I ask: in the last six months how many ambulances have been called to North Richmond to attend episodes like this or other overdoses within the vicinity of the injecting room?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:39): I thank Ms Crozier for her supplementary question. I think that I have already indicated that there have been fewer ambulance call-outs as a result of the facility being stood up in North Richmond. That is an undisputed fact. We have also seen a declining trend in opioid overdose presentations at St Vincent's, which is the closest emergency department to the facility. We

have not seen this trend in other comparable Melbourne hospitals, so I think that Ms Crozier is putting her –

*Members interjecting.*

**Sonja Terpstra:** On a point of order, President, I cannot hear the minister because of the constant interjection coming from Mr McGowan over there. He has constantly interjected. I cannot hear the minister's answer. She deserves to be heard in silence.

**The PRESIDENT:** Interjections are disorderly. Minister, with 17 seconds, uninterrupted.

**Ingrid STITT:** As I was about to say, Ms Crozier has taken an example and is seeking to conflate that into a range of other diversionary conversations about these matters. I will not put my feet into the shoes of the first responders that dealt with this particular individual. They are best placed to do that.

**Georgie CROZIER** (Southern Metropolitan) (12:41): I move:

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

**Motion agreed to.**

### Housing

**Katherine COPSEY** (Southern Metropolitan) (12:41): (327) My question is to the Minister for Housing. Minister, there are currently 125,000 people on the waiting list for public housing in Victoria, yet the Labor government has released a proposal that could signal the end of public housing in our state. Of the new dwellings proposed in the housing statement issued last month, can you confirm how many of these homes are guaranteed to be new public housing?

*Members interjecting.*

**Harriet Shing:** Can I get the question again? Sorry, there is a lot of noise.

**Katherine COPSEY:** Certainly can. My question is to the Minister for Housing. Currently there are 125,000 people on the public housing waiting list in Victoria, yet the Labor government has released a proposal that could signal the end of public housing in our state. Of the new dwellings proposed in the housing statement issued last month, can you confirm how many of these homes are guaranteed to be public housing?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:42): Thank you very much for that question. Again, I reject the characterisation of the biggest investment into social housing in the state's history in the terms that you have put it. One of the reasons for my concern about the way in which you have couched this question, the way in which you couch your narrative, is that if we follow your reasoning through to its logical conclusion then you are in fact saying that Aboriginal-controlled community housing organisations, that organisations supporting women and children who are victims and survivors of family violence, supporting people with long-term issues around mental illness who are supported directly through community housing providers, are in fact not part or should not be part of a contemporary mix of housing that meets the needs of people all around the state.

When we talk about the delivery of social housing around this state, when we talk about more than 13,000 new homes to be delivered under this investment of more than \$6.3 billion, we are talking about social housing that incorporates and includes public housing and community housing. Therefore, when you distinguish between social housing and public housing, by inference you are saying that community housing represents a departure from the delivery of public housing.

*Members interjecting.*

**Katherine Copsey:** On a point of order, President, I can hear interjections requesting a factual question. I did ask a factual question. The minister has 1 minute left to answer the substantive part of

my question, which is: how many of the new homes under the housing statement are guaranteed to be public housing? We are all aware of the distinction. How many will be public housing?

**The PRESIDENT:** A point of order is not an opportunity to repeat the question and add to it. I call the minister to the question.

**Harriet SHING:** Thank you very much, President. With the time that I have remaining, again I want to take issue with the way in which every question you ask about housing uses the word ‘privatisation’ and then extrapolates into a question as to how much public housing will be made available as part of this investment. That, by extension, to go back to the point that I have made already and will continue to make, invites a conclusion that community housing is in fact something that you are opposed to. If you are opposed to community housing providers and all of the work that they do to support people most in need, then at least have the guts to stand up and say it.

**Katherine Copsey:** On a point of order, President, I can understand spending time on questioning the characterisation of the question or the tone of the question. There are 9 seconds left. I would appreciate the minister returning to the substance of my question. How many of these homes –

*Members interjecting.*

**The PRESIDENT:** Yes, that is fine. If people think that the minister is not relevant to the question, then obviously they are right to call a point of order. My issue is – and it is not necessarily from the area that the member has asked the question from – there is so much noise that I do not know if she is answering the question. If we can keep the chamber to a point where we can all hear the answer, that would assist not only me but the person asking the question and everyone else.

**Katherine COPSEY (Southern Metropolitan) (12:47):** Thank you, Minister, for the answer. We all understand the government is allergic to speaking about public housing, and knowing that there are 125,000 people waiting for public housing, it is clear that the housing crisis is going to get even worse under Labor. Indeed we hear you talk about the Big Housing Build, but even if that materialises, that stock will not be available for years, whereas right now we are facing a compound crisis: a cost-of-living crisis fuelled by a housing crisis. Tenants Victoria’s annual report has just come out, detailing out-of-control rent increases renters are receiving, and says:

Of those who cannot pay the increased amount, many have told us that they risk becoming homeless due to being unable to secure another suitable home.

So my question is: what increased funding for homelessness services do you have planned, given that the housing and homelessness crisis is set to worsen?

**The PRESIDENT:** I think the issue I have is that the supplementary is not necessarily relevant to the substantive question.

**Katherine COPSEY:** On a point of order, President, I would just say that requiring a service response to a deficiency in the housing policy is certainly relevant.

**The PRESIDENT:** I am happy for the minister to answer as she sees fit.

**Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:49):** I am grateful for the opportunity with the lesser amount of time that I have available to talk about homelessness. Again, I am really, really determined to make sure that we continue the work that we have on foot at the moment around what is being done to support Victoria’s specialist homelessness surveys, and this includes stakeholders like the ones that you have referred to in this supplementary question and in others. Responding to the needs of around 100,000 people who are at risk of rough sleeping or indeed homeless is a considerable challenge not just for Victoria or Australia but indeed around the world. We are making significant investments in breaking that cycle of homelessness, but as you would appreciate, it is really complex. We want to make sure that people have wraparound support and care that covers a range of different sectors and a range of providers.



Again, I am really happy to provide you with additional information on that, given the breadth of this that covers the whole of government.

**Ministers statements: LGBTIQ+ equality**

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:50): I rise today in my capacity as Minister for Equality. Today and every day the Allan government stands with LGBTIQ+ people in celebration, in respect, in recognition and with determination. I am so proud of our vibrant and diverse communities and the resilience shown in the face of adversity. We will always be stronger and prouder than any base level of hate that may emerge from people who have got nothing better to do. We will never stop working to ensure that every LGBTIQ+ Victorian feels visible, safe, proud and celebrated.

On the weekend it was a real joy to attend the Policing and the Rainbow Community event, with member for Wendouree Juliana Addison in the other place, to talk about how we can support LGBTIQ+ people and organisations to address the issues of safety, of threats to safety and of perceptions of vulnerability that are exponentially greater as a result of other matters occurring in the public discourse that expose a really nasty underbelly and a preparedness to really weaponise difference and to create a sense of often devastating injury and anxiety.

On that point, I am really pleased to be able to announce the opening of the \$400,000 Pride Events and Festivals Fund for 2023–24. This involves grants of between \$10,000 and \$25,000, while grants of up to \$10,000 are available for eligible small events and festivals. We want to make sure that across the state visibility is underpinned by this work, and I would encourage people to get involved and to put in applications in ways that help to support LGBTIQ+ people around the state.

**Written responses**

**The PRESIDENT** (12:52): Thank you, Minister Shing. You are going to get answers to Mrs Tyrrell’s questions to the roads minister – both those questions – in line with the standing orders.

**Georgie Crozier**: On a point of order, President, in relation to the final question that I asked the Minister for Mental Health, I do not believe the minister responded to either of the questions satisfactorily. The first one was around the duty of care not only to the person that collapsed after using in the injecting room but also to the community. She went nowhere towards answering about a duty of care. The supplementary question was around the number of ambulances that have been called out in the last six months. The minister can get that data and provide it to the house, and I would ask that you instruct the minister to do that.

**Ingrid Stitt**: On the point of order, President, it is a matter for you to consider the answers given, but the reality is that the entire framing of my answer was around the duty of care to the whole community.

**The PRESIDENT**: In line with the practice, I am happy to review any answers that anyone calls a point of order to. I did believe in real time that the minister did address the question. I would note to members that it has been a longstanding practice that preambles are also part of the question. I did believe that at the time, but I am happy to review if I was incorrect.

**Georgie Crozier**: Thank you for that undertaking, President. That is in reference to the substantive question. In relation to the supplementary, the minister referred to a reduced number of ambulances, so she has clearly got the data. I was asking for the data from the last six months. I would also ask that you review that response and that the minister could provide that information to the house in accordance with the standing orders.

**The PRESIDENT**: As I said, I have committed to reviewing the answer. I think there might be another matter for the minister outside of that answer to the supplementary question, but I have committed to reviewing both answers.

*Questions on notice*

**Answers**

**The PRESIDENT** (12:54): I have a reinstatement before we go on to constituency questions. I have received a written request from Ms Crozier seeking the reinstatement of a number of questions on notice directed to the Minister for Health. Having reviewed those responses, I order that questions on notice 434 to 450 and 714 to 730 be reinstated in full, as the information sought by Ms Crozier has not been provided through the Victorian Agency for Health Information data request hub as indicated by the minister's response.

*Constituency questions*

**Southern Metropolitan Region**

**John BERGER** (Southern Metropolitan) (12:55): (494) My question is for the Minister for Employment in the other place Minister Ward – and congratulations on your elevation, Minister. As you would know, the Allan Labor government is increasing the number of jobs covered by our landmark, nation-leading Victorian sick pay guarantee, and I have got good news: we are extending the pilot program until March 2025, ensuring more casual workers can access sick and carers pay. It is part of our \$245.7 million initiative to reduce workplace illness and injuries. As a former union secretary, I know the incentive system is lopsided and hedged against the employee in the casual system, so we must do our part. Since the pilot launched in March last year more than 76,000 workers have signed up, but we know that there is always more work to be done. That is why my question to the minister is this: how can my constituents of Southern Metro Region apply to benefit from the Allan Labor government's sick pay guarantee?

**South-Eastern Metropolitan Region**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:56): (495) My constituency question is to the Minister for Planning regarding her dramatic intervention in July this year to halt mid- and high-rise developments near the Frankston waterfront, for which one developer had already taken deposits on 30 per cent of his 14-storey development. Minister, since the interim overlay, which prevented any development over three storeys, was halted under your direction until 27 October and was revoked by you last Friday, will you ensure that Frankston City Council will engage in genuine, broad-ranging public consultation on new planning and development controls in the implementation of the Frankston metropolitan activity centre structure plan and advise my constituents and me of the constituent concerns, which you have become aware of, on whether this development is going to be built with up to 12 storeys and two towers?

**Western Metropolitan Region**

**David ETTERSANK** (Western Metropolitan) (12:57): (496) My constituency question is directed to the Minister for Transport Infrastructure. My constituent lives near Melbourne Airport and contacted my office after the federal government released its draft environmental impact statement for the new Badgerys Creek airport. The draft statement includes a noise insulation policy whereby residents in the noise exposure area would be eligible for free noise mitigation measures such as insulation and double glazing to dull air traffic noise. This seems to be a sensible and modest measure to ensure the livability of homes which will be adversely affected by aircraft noise. My constituent asks: will the minister seek assurances from the relevant federal ministers that the proposed expansion of Melbourne Airport to accommodate a third runway will include a similar policy to insulate residential properties, childcare and aged care facilities, libraries and schools against the increased levels of aircraft noise?

**Eastern Victoria Region**

**Tom McINTOSH** (Eastern Victoria) (12:58): (497) My question is for the Minister for Regional Development. Minister, regional Victoria is so important to our great state of Victoria. It is where

millions of Victorians live and work, but it is also an economic powerhouse, not only feeding and powering our state but also exporting our incredible quality products to our nation and nations all around the world. This government has a strong commitment to investing in Victoria's regions through the regional development portfolio and has made plenty of great investments, including in the Gippsland region. There are so many positive stories of new and great things happening in the community everywhere you look. Minister, can you outline some of the benefits to the Gippsland region through the regional development portfolio? I have visited fantastic businesses and projects that have had support from Regional Development Victoria and are delivering jobs in emerging industries, like the Elecsome solar panel upcycling facility in Kilmany, near Sale. I am proud of the hard work this government has done preparing the region for the jobs of the future, and I look forward to exciting opportunities to come.

#### **Western Victoria Region**

**Joe McCracken** (Western Victoria) (12:59): (498) My question is to the Minister for Roads and Road Safety, and it relates to the Western Freeway, particularly between Ballan and Myrning. I have had a number of constituents who live within the area talk to me and raise concerns about the state of the road. Particularly heading towards Melbourne, there are a number of very difficult parts of that road – potholes. Sometimes you have to actually switch to a different lane because it is that treacherous – and I do not use that word facetiously, I mean that very seriously. Vehicles have received a lot of damage. It has caused quite a lot of distress for a lot of locals within that area. So my question to the Minister for Roads and Road Safety is: will you please look into this so it is actually fixed? Because locals are fed up – it has been far too long. Even despite having winter, nothing seems to have been happening at all. So please, Minister, fix the roads.

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

**Aiv Puglielli** (North-Eastern Metropolitan) (13:00): (499) My question today is to the Minister for Public and Active Transport, and it relates to the public transport services in Nillumbik shire. I have been contacted by an older resident from Nillumbik, who has told me that for him it is nearly impossible to use conventional public transport. He says that he just cannot risk taking public transport that is irregular or where he cannot be guaranteed a seat, and as I am sure you will understand, this is a big barrier for older people using public transport in our state. Due to the lack of public transport options, this man relies instead mainly on taxis and Ubers to get around, which also have their issues in the outer suburbs of Melbourne. He regularly experiences long waits with no available cars in the area due to being so far out. Minister, public transport needs to be fast, it needs to be frequent and it needs to be accessible to all. What will you do to improve public transport services in Nillumbik?

#### **South-Eastern Metropolitan Region**

**Michael Galea** (South-Eastern Metropolitan) (13:01): (500) My question is for the Minister for Government Services. Can the minister update me on the progress of the Connecting Victoria initiative, which is funding the rollout of mobile phone towers in the City of Casey? Last week a private contractor cut through NBN cables without authorisation whilst excavating, which led to an NBN outage of more than 24 hours across large parts of Clyde North and Clyde. These areas already suffer from almost non-existent mobile coverage, so this outage resulted in unacceptable isolation for thousands of my constituents. Noting that telecommunications is a federal area of responsibility and the placement of phone towers is subject to council planning processes, I am pleased that the state government has stepped in with the Connecting Victoria initiative in an attempt to speed up the rollout of these towers. I would also like to acknowledge the member for Bass's long advocacy on this issue. Last week the member for Bass and I held a street stall, along with the federal member for Holt, where we heard firsthand from residents who are rightly angry about this issue. Some missed telehealth appointments, others could not work and one even missed an online exam. To reiterate, can the minister please update me on the rollout of the Connecting Victoria initiative?

**Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (13:02): (501) My question is for the Minister for Roads and Road Safety and regards the dismal state of the C356, the Rushworth-Tatura Road. Rushworth-Tatura Road is an arterial road which is a key corridor between the two towns. It connects to both the Bendigo-Murchison Road and the Murchison-Tatura Road, which carry a high volume of traffic daily. Significant amounts of domestic vehicles and trucks use this road every day, and many constituents have reported the conditions of the road have become absolutely and increasingly hazardous. Damage is littered between the two towns, with significant damage being present on the northbound lane to the Waranga Basin, which has caused many cars to have to drive on the opposite side of the road. My question for the minister is: will you order immediate repairs to the Rushworth-Tatura Road on both the northbound and the southbound lanes?

**Northern Metropolitan Region**

**Samantha RATNAM** (Northern Metropolitan) (13:03): (502) My constituency question is for the Minister for Education. I have previously raised the plight of the Pavilion School in my electorate, which supports marginalised and at-risk students to re-engage with education. The school has been advocating to the Department of Education for more space to be able to offer more classroom time for students and support the more than 65 students on the waiting list for entry. When you remember that these students might otherwise be disengaged from school, every day spent waiting is detrimental to their wellbeing. I understand the school has now been offered an additional 56 square metres of space leased from Melbourne Polytechnic at the school's expense, which while welcome will not be enough to accommodate the students waiting to join the school. Minister, I ask you to intervene urgently to ensure that the Pavilion School is supported with access to a complete school building that can both expand contact hours for students and accommodate the growing waiting list for this vital resource for young people at most risk of disengaging from education.

**North-Eastern Metropolitan Region**

**Matthew BACH** (North-Eastern Metropolitan) (13:04): (503) My constituency question today is for the Minister for Housing, and the question is this: how will the minister ensure the views of Victorians living in community housing in my electorate are carefully considered and that complaints are handled thoughtfully and efficiently? It was earlier this year that a constituent of mine contacted my office about what she detailed as her disturbing experience in community housing. She reported that she lived in a transitional property with another tenant and that her roommate had acted aggressively and violently towards her. The police were involved. It was further reported to me that the responsible registered housing agency did not take these matters seriously enough, and eventually my constituent was forced to flee the property. Now, there are issues here that are more widespread than my electorate, as per the *Housing Registrar Sector Performance Report 2021–22*. Nonetheless, given that my experience in noting these matters is limited to my electorate and given that the government rightly says that every Victorian deserves a safe and secure home, I would ask: what will the minister do to ensure tenant voices in my electorate are taken seriously by registered housing agencies?

**Western Metropolitan Region**

**Trung LUU** (Western Metropolitan) (13:05): (504) My question is for the Minister for Housing as well. In May this year Hobsons Bay council sent an eviction notice to my constituents the residents of Techno Park Drive, Williamstown, telling them they can no longer live there and instructing them to leave due to zoning regulations. My question is: what is the minister doing to help my constituents the residents of Techno Park Drive to find a home during a rental and housing crisis? Since 1951 Techno Park Drive has been home to migrants and refugees and a place for many disadvantaged and vulnerable people to find a home. Thirty years ago it was rezoned as industrial, but the residents were allowed to continue living there. Now, in the middle of a housing and rental crisis, my constituents

have been asked to leave and have been evicted. Can the minister please update me on what is being done to help the residents to find a new home?

**Western Victoria Region**

**Bev McARTHUR** (Western Victoria) (13:06): (505) My question for the Minister for Crime Prevention concerns the freedom of speech and protection from harm of women who relate their personal experiences of the damaging effect of gender identity ideology. Despite simply expressing their views, three Women's Action Group of south-west Victoria members have been attacked. One, an elderly woman, was violently attacked in Ballarat by someone objecting to her sign. Another was attacked and permanently disabled by a man claiming to be a woman, and a third was knocked unconscious at the Let Women Speak rally on the steps of Parliament in March. This is not anti-trans, it is pro women's rights. I have always said, 'People should be able to be and act as they wish so long as they respect the rights of others.' So, how, Minister, are you protecting my constituents' rights to feel safe and be heard?

**Southern Metropolitan Region**

**Georgie CROZIER** (Southern Metropolitan) (13:07): (506) My question is for the Minister for Ambulance Services, and it is in relation to an issue that has been raised in the media, but the minister is well aware of it. It is in regard to 94-year-old Louise Baker, who was stranded in her home, found to have a fractured pelvis and could not get an ambulance after one was called by her neighbour. Her neighbour Justin rang to get an ambulance, and on two occasions he was told that none were available. I know this is happening right around the state, that elderly patients are being told there is not an ambulance. It happened personally to me and my family. I am disgusted about the lack of care that some are provided. Justin said that he was seriously shocked that she had to wait for over 90 minutes. She had to walk through her home unaided. He asked: please advise what exactly is the plan to stop this from happening again now that we do not have COVID and the issue seems to be getting worse?

**Northern Victoria Region**

**Gaelle BROAD** (Northern Victoria) (13:08): (507) My question is to the Minister for Health following a review by St John of God Bendigo Hospital into the potential closure of their intensive care unit and maternity health services. St John of God Bendigo Hospital is facing a crisis at the moment, with a review into the financial sustainability of the intensive care unit and obstetric services in Bendigo. Our public healthcare system and Bendigo Health care group are already under extreme pressure and struggling to cope with current demand. There are already long waitlists for surgery, staff shortages and cost increases. Bendigo is a major regional centre, and the closure of St John of God's maternity and intensive care services would be devastating to the wider region. The loss of private obstetric services would be a blow for regional women, with no option for them to engage in safe birthing of their choice. I ask the minister to respond to these concerns and take action to avoid a worsening healthcare crisis in the region.

**Eastern Victoria Region**

**Melina BATH** (Eastern Victoria) (13:09): (508) My question is to the Minister for Roads and Road Safety, and it relates to the upgrade to the intersection of Lloyd Street and Waterloo Road in Moe. For the past 15 years, every year there has been a serious crash, and of the 13,000 daily vehicle movements there are very near misses. It is a busy intersection. Not only is there a primary school nearby, but pedestrians and motorists are at risk. The federal government has put down \$9.3 million for this upgrade. It has been sitting on the table for quite some time, but we also know that the federal minister Catherine King is doing her 90-day-and-longer review, an extensive review, and I do not want this one. With my constituents – and Martin Cameron and I have met with a number of those constituents – I ask the minister: what is the minister doing specifically to advocate for this vital upgrade to continue?

*Papers***Independent Broad-based Anti-corruption Commission***IBAC's Operation Daintree Special Report: Government Response*

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (13:11):  
I move, by leave:

That the government response and progress report to Parliament about the implementation of the Independent Broad-based Anti-corruption Commission's Operation Daintree recommendations, October 2023, be tabled.

**Motion agreed to.**

*Committees***Scrutiny of Acts and Regulations Committee***Alert Digest No. 13*

**Sonja TERPSTRA** (North-Eastern Metropolitan) (13:11): Pursuant to section 35 of the Parliamentary Committees Act 2003, I lay on the table *Alert Digest* No. 13 of 2023 from the Scrutiny of Acts and Regulations Committee, including appendices. I move:

That the report be published.

**Motion agreed to.**

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

Advancing the Treaty Process with Aboriginal Victorians Act 2018 – under section 43 of the Act –

Advancing the Victorian Treaty Process – Report, 2022–23.

First Peoples' Assembly of Victoria – Report, 2023.

Auditor-General's Office – Report, 2022–23.

Crown Land (Reserves) Act 1978 – Order of 20 September 2023 giving approval to the granting of a licence at St Kilda Botanical Gardens Reserve.

Environment Protection Authority (EPA) – Report, 2022–23.

Financial Management Act 1994 – Minister for Environment's reports that 2022–23 Reports have not been received, together with an explanation for the delay, under section 46(3)(a) of the Act –

Caulfield Racecourse Reserve Trust.

Dhelkunya Dja Land Management Board.

Gunaikurnai Traditional Owner Land Management Board.

Phillip Island Nature Parks.

Yorta Yorta Traditional Owner Land Management Board.

Zoos Victoria.

Independent Broad-based Anti-corruption Commission – Report, 2022–23 (*Ordered to be published*).

Inquiries Act 2014 – Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Final Report (13 documents) (*released on 30 October 2023 – a non-sitting day*) (*Ordered to be published*).

Land Acquisition and Compensation Act 1986 – Minister's certificate of 23 October 2023 to not require the service of a notice of intention to acquire land, under section 7 of the Act.

LanguageLoop – Report, 2022–23.

Mental Health Tribunal – Report, 2022–23.

Ombudsman – Watchdog for the people: 50 years of the Victorian Ombudsman 1973–2023 (*Ordered to be published*).

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

Darebin Planning Scheme – Amendment C217.

Frankston Planning Scheme – Amendment C164.

Glen Eira Planning Scheme – Amendments C231 and C243.

Kingston Planning Scheme – Amendment C219.

Yarra Ranges Planning Scheme – Amendment C219.

Regional Development Victoria – Report, 2022–23.

Statutory Rules under the following Acts –

Circular Economy (Waste Reduction and Recycling) Act 2021 – No. 107.

Mutual Recognition (Victoria) Act 1998 – No. 109.

Trans-Tasman Mutual Recognition (Victoria) Act 1998 – No. 108.

Water Act 1989 – Nos. 110 and 111.

Subordinate Legislation Act 1994 – Documents under section 15 in respect of Statutory Rule Nos. 108 and 109.

Sustainability Victoria – Report, 2022–23.

Queen Victoria Women’s Centre Trust – Minister’s report of receipt of the 2022–23 Report.

Victorian Electoral Commission – Report to Parliament on the 2022 Victorian State election and 2023 Narracan District supplementary election, October 2023.

Victorian Environmental Assessment Council Act 2001 – Notice of request to the Victorian Environmental Assessment Council for an Assessment of the values of the Immediate Protection Areas in the Central Highlands and East Gippsland, under section 26C of the Act.

Victorian Multicultural Commission – Report, 2022–23.

Proclamations of the Governor fixing operative dates in respect of the following acts:

Circular Economy (Waste Reduction and Recycling) Act 2021 – Remaining provisions of Part 6 – 1 November 2023 (*Gazette S563, 24 October 2023*).

Water and Catchment Legislation Amendment Act 2021 – Remaining provisions (other than sections 23 and 30) – 20 November 2023 (*Gazette S564, 24 October 2023*).

### *Petitions*

#### **Northern Victoria Region roads**

#### *Response*

**The Clerk:** I have received the following paper for presentation to the house pursuant to standing orders: minister’s response to petition titled ‘Road conditions in northeast Victoria’, presented by Mrs Tyrrell.

### *Business of the house*

#### **Notices**

**Notices of motion given.**

#### **General business**

**Georgie CROZIER** (Southern Metropolitan) (13:18): I move, by leave:

That the following general business take precedence on Wednesday 1 November 2023:

- (1) order of the day 14, second reading of the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023;
- (2) order of the day 9, second reading of the Charter of Human Rights and Responsibilities Amendment (Protection from Torture and Slavery) Bill 2023;

- (3) order of the day 3, resumption of debate on the second reading of the Residential Tenancies Amendment (Rent Freeze and Caps) Bill 2023;
- (4) order of the day 13, resumption of debate on the second reading of the Energy and Resources Legislation Amendment (Transition Away from Coal) Bill 2023;
- (5) order of the day 41, resumption of debate on a motion moved by Mr Davis on sessional orders relating to short-form documents motions;
- (6) notice of motion 224, standing in Mr Mulholland's name on Labor's electric vehicle tax; and
- (7) order of the day 2, resumption of debate on the second reading of the Planning and Environment Amendment (Soil Protection) (Solar Power Generation Facilities) Bill 2023.

**Motion agreed to.***Members statements***Road safety**

**Sonja TERPSTRA** (North-Eastern Metropolitan) (13:19): Improving the safety of Victorian motorcyclists is a key priority of the Allan Labor government's road safety strategy to have road deaths and serious injuries significantly reduced by 2030 and to set the state on a path to zero road deaths by 2050. That is why last week I was very pleased to be able to visit the Australian Automotive Research Centre in Wensleydale to witness motorcycle-detecting autonomous emergency braking systems in my role as chair of the Motorcycling Community Engagement Panel. Having more vehicles on the road fitted with car-to-motorcycle detection and avoidance technology will help reduce road deaths and serious injuries on roads in Victoria. From the start of this year, vehicles tested by the Australasian New Car Assessment Program, otherwise known as ANCAP, are assessed for their ability to detect and respond to motorcycles. This, together with the Australasian New Car Assessment Program's European counterpart the Euro New Car Assessment Programme, is and will be a world first.

**SPC Business Excellence Awards**

**Wendy LOVELL** (Northern Victoria) (13:20): It gives me great pleasure to acknowledge the recipients of the Greater Shepparton business awards, which were presented on Friday 27 October. Nominees and recipients from a wide range of businesses reflected the diversity of industry that the Shepparton region has to offer. Awards are given in many different categories, and recipients include retailers, professional services, health and beauty services, trades and builders, tourism, and visitor experience. There are too many recipients to single each one out, but I would like to make special mention of the latest inductee into the Greater Shepparton Business Network's hall of fame Paul Phillips of Phillips Cellars, Shepparton, a testament to the hard work and value Paul and his family and staff have contributed to the local community. The hall of fame is a long list of many family names that have driven excellence in business in Shepparton over many decades and includes family names like Hunter, Furphy, Anderson, Renato, Grasso, Lovell, McArthur, Wright, Hill and many more. I would like to welcome the Phillips family to the hall of fame and congratulate them on many decades of generational family contribution to the Greater Shepparton business community. Thank you to the Greater Shepparton Business Network and their sponsors, who all put in an enormous effort to ensure these awards happen each year. It is always a wonderful evening and a great opportunity to celebrate excellence in our community. Congratulations once again to all award category winners, and I would also like to congratulate all businesses that were nominated as finalists. You are all winners because your customers took the time to nominate you.

**Horseracing**

**Katherine COPSEY** (Southern Metropolitan) (13:22): At least 168 horses were killed on Australian racetracks last year – the worst on record – and yet again we are hearing disturbing stories of animal cruelty in the lead-up to this year's Melbourne Cup. Just a few weeks ago jockey Mark Zahra broke the rules for excessive whipping during the Caulfield Cup. For this he was fined \$50,000 and suspended for seven races, but he could choose when the suspension took place, so he rode in the



Cox Plate last weekend and he will be back in the saddle for the Victoria Derby this weekend. That is not even a slap on the wrist. If only the jockeys were as gentle with their horses as Racing Victoria is with the jockeys. Victorians, though, are noticing the way that this industry treats these beautiful animals. Thanks to the tireless work of animal welfare campaigners highlighting this harmful industry's legacy of cruelty and deaths, their social licence has eroded so much that this year's Melbourne Cup parade was cancelled. As more and more Victorians say nup to the cup, it is appalling that the Labor government is expending exponentially more to prop up the racing industry than on people in housing stress or experiencing homelessness. In a cost-of-living crisis, it is time to cancel the cup and spend that money instead on good public-interest activities to support Victorians who are doing it tough.

### **State Electricity Commission**

**Ryan BATCHELOR** (Southern Metropolitan) (13:24): The Victorian Labor government continues to lead Australia on climate action. We said we would bring back the SEC, and that is exactly what we have done. We are taking sensible action to make energy in Victoria renewable, accessible and, most importantly, cheaper, because climate change is one of the biggest threats facing our world and we know that our reliance on fossil fuels is unsustainable. That is why we are helping Victorians make the switch to cleaner renewable sources of energy. The new SEC will help accelerate the delivery of cheaper and more reliable energy across the state. We are reshaping the energy system and we are also helping households, because we know that making the switch to electric power can lower household bills by up to 30 per cent, saving households around \$1400 a year. We know, though, that for many the switch can be a little bit complicated, so through the SEC we are offering a one-stop shop to help households make the switch to electric power. The government, the Allan Labor government, is leading the nation on climate action, and bringing back the SEC is just one part of our plan to make sure that Victoria continues to lead the way on addressing the climate crisis.

### **St Thomas More Catholic Primary School, Alfredton**

**Joe McCRACKEN** (Western Victoria) (13:25): I had the pleasure last week of attending a local primary school in Alfredton, St Thomas More Primary, which is a wonderful school. It is the second-biggest one in the Ballarat area in terms of Catholic primary schools, and it does some amazing work. I was very privileged to go and meet with the grade 5 and 6 students and talk to them about politics and civics and everything that they could do to get engaged in public debate, and there were a number of very interesting questions that came up – a number of questions actually about the Voice and why that failed, and that was a very interesting discussion. But more broadly I really want to congratulate the young people for inviting me along – it was their idea to have me there – and also I want to congratulate the staff and the teachers, who do such a great job supporting the young people there. They work tirelessly. I do not just mean teachers; I mean support staff as well, in addition to the administrative staff and business managers. They all make a great contribution to what is an awesome school. If you are not aware, St Thomas More has an excellent reputation in Ballarat and is quite often sought after as a place of preference to send young people, so hats off to St Thomas More. Well done, and I look forward to coming back again soon.

### **Echidnas**

**Georgie PURCELL** (Northern Victoria) (13:27): This week I am stoked to share some facts about our mighty spiky pal the echidna. The warmer spring weather brings out all sorts of mates we may not usually see, and on a recent hike on my favourite track at Mount Macedon near my home I was joined by a wonderful echidna and thought to myself that I simply must share their wonder with the world and with my colleagues. I have talked a lot about pouch-checking of macropods like kangaroos, but echidnas actually have pouches as well. Echidnas and platypuses are the only egg-laying mammals. After hatching, puggles remain in their mother's pouch for almost two months, so please make sure you check on echidnas in need also. A solitary mammal, you will rarely see them in a group, but if you do it is known as a parade. As they cannot tolerate extreme temperatures, they will use the burrows

of animals such as rabbits and wombats and will dig to hide when under threat. But I am most excited to share that recently I learned they can actually swim, as they evolved between 20 million and 50 million years ago, descending from a platypus-like mammal. So I hope that we can all look out for our spiky mates on land or in water this spring, just like our wonderful wildlife carers do.

### **Unity in Diversity Festival**

**Lee TARLAMIS** (South-Eastern Metropolitan) (13:28): Recently I had the privilege of attending the Unity in Diversity Festival in Dandenong, an event organised by the amazing Southern Migrant and Refugee Centre. For three decades the SMRC have provided invaluable support and services to refugees, migrants and asylum seekers, ensuring they have not only the support needed on arrival but also the resources needed to settle and begin to build a new and fulfilled life here in Victoria. With over 120 multilingual workers and over 160 volunteers speaking over 55 languages, SMRC's passionate and dedicated team makes a real difference in ensuring the community is connected to the supports and services needed when they are needed most.

The Unity in Diversity Festival was an opportunity to come together to celebrate our wonderfully vibrant and diverse community in Melbourne's south-east. The festival was an embodiment of unity and a testament to our collective strength. Even in the face of adverse weather conditions, the festival was filled with traditional cultural performances, informative community stalls and delicious cuisines. It was great to see the resolve of so many to attend and participate, to catch up with so many friends and to make new connections. The festival was a celebration of the strength and determination, the spirit of community and the shared commitment to inclusivity and togetherness that exists in the south-east. Melbourne's south-east is a microcosm of the rich cultural tapestry that defines our state and our nation and home to many diverse stories. It is the coming together and sharing of these stories that creates the connection between us all, and the SMRC plays a pivotal role in bringing these stories together, providing a space where we can share, learn and grow together in a comfortable and safe environment. Thank you to the SMRC for all that you do, and happy 30th birthday.

### **Women's Action Group**

**Bev McARTHUR** (Western Victoria) (13:29): On 16 October 2022 I attended and spoke at the first Women's Action Group, WAG, Speakers Corner event held appropriately in the Pioneer Women's Memorial Garden next to the Royal Botanic Gardens, so I was more than happy to come to the steps of this place on Sunday to celebrate the first anniversary of WAG's Women Will Speak event. WAG was formed in 2019 as a platform for women to speak freely about gender identity ideology and its impact. Elsewhere women are silenced, sacked, berated, ostracised and even told they are bigots or Nazis. Women Will Speak is a space where women can advance their arguments and relate their experience without fear of being drowned out, cancelled or even physically attacked. I am so pleased to be sponsoring their petition on the irreversible chemical and surgical treatment protocols relating to children and adolescents transitioning. This is a major health issue bordering on child abuse, and the proponents should be on notice for their actions. I thank Michelle and others from WAG for fearlessly fighting these important issues.

### **Middle East conflict**

**Samantha RATNAM** (Northern Metropolitan) (13:31): This weekend saw massive protests around the world, including here in Melbourne, in solidarity with the people of Gaza. The Greens condemn the war crimes of Hamas and the invasion of Gaza. Eight thousand Palestinians have died. Save the Children are now reporting that the 3195 children killed in Gaza in just the last three weeks surpasses the total number killed in all global conflicts in the last four years. Just think about that for a moment. Nothing can justify the violence we are seeing. People around the world are taking to the streets to call for a ceasefire and an end to the invasion and occupation. We need a lasting peace and a just peace for both Israelis and Palestinians. It is time our governments listened. Instead of backing the invasion, Australia should be part of an international push for peace and de-escalation, which means an immediate ceasefire, an end to the invasion of Gaza and holding to account those who have

committed war crimes. Yet over the weekend Australia abstained from a vote at the United Nations General Assembly for humanitarian peace. What more will it take for Labor to join with our communities in calling for peace? We grieve with those who have lost loved ones, and we must all work now to stop further bloodshed.

### Payroll tax

**Georgie CROZIER** (Southern Metropolitan) (13:32): On Friday the Treasurer wrote to key stakeholders the Royal Australian College of General Practitioners, the AMA and the GP Alliance. What the letter does admit is that it is going to close GP clinics and medical clinics across the state. What it will also do is force up costs; it will end bulk-billing. It will force patients into busy emergency departments to seek basic primary care. This is not providing the access or equity of health care that this state needs and certainly those patients deserve. Dr Mukesh Haikerwal, who is the Australian GP Alliance deputy chair, said in a media report today – and I could not agree with him more – that the government’s logic was flawed. He said:

The letter was disappointing because it’s basically saying that we’re coming after the tax but if we’re sending you broke, we’ll bail you out ...

The question is: why the hell are you doing it in the first place?

Quite right. Why on earth is the government doing this, applying this health tax to medical clinics across Victoria, when these experts and stakeholders have said 30 per cent of clinics will close, bulk-billing will go and it will force patients into busy EDs? The reason the government is doing it of course is because Victoria is broke. This government has sent debt spiralling out of control, and as a result the only solution is to tax everybody in sight. It is a flawed tax. The government needs to stop it.

### Warrnambool Show

**Jacinta ERMACORA** (Western Victoria) (13:34): On Saturday it was my great pleasure to open the 2023 Warrnambool agricultural show. We first heard from Uncle Robbie Lowe Sr, who told us of his pain and sadness on the referendum result. He nonetheless welcomed us graciously despite the difficult result. The show included a Friday youth music event, a Saturday show day and a three-day equestrian event. This year’s show was an absolute success. The carnival included rides for children of all ages, a sideshow alley, show bags and a kids zone. On show, literally, were the best cattle and sheep our region has to offer, along with the local gourmet hub and a shearing demonstration. It was great to see Cr Nick Cole in action as a sheep judge, along with show committee president Jason Callaway, show secretary Lynn Lyles and vice-president Peter McDonald. Together they achieved a fantastic array of sponsors, including Warrnambool Toyota, Sinclair Wilson, Barton’s Waste, Warrnambool City Council, Dale Cleves Music, Wilson Real Estate, Fitzmedia, Elders, the Midfield Group and Dirtfert as well. I congratulate those sponsors, who also supported a fantastic event. I want to acknowledge the hard work of the Warrnambool Agricultural Society and their committee. Over the last couple of years they have reactivated the Warrnambool Show to reflect a marvellous event.

### Bills

#### Triple Zero Victoria Bill 2023

##### *Council’s amendments*

**The PRESIDENT** (13:36): I have received a message from the Legislative Assembly:

The Legislative Assembly informs the Legislative Council that, in relation to ‘A Bill for an Act to establish Triple Zero Victoria, to repeal the **Emergency Services Telecommunications Authority Act 2004** and for other purposes’ the amendments made by the Council have been agreed to.

***Business of the house*****Notices of motion**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (13:36): I move:

That the consideration of notices of motion, government business, 171 to 225, be postponed until later this day.

**Motion agreed to.**

***Bills*****Gambling Legislation Amendment Bill 2023*****Second reading*****Debate resumed on motion of Jaclyn Symes:**

That the bill be now read a second time.

**Evan MULHOLLAND** (Northern Metropolitan) (13:37): On 16 July the state government announced a set of reforms to reduce gambling-related harms, with many of its announced reforms stemming from the Royal Commission into the Casino Operator and Licence, which handed down findings in late 2021. The key reforms being announced by the then Andrews government included a mandatory closure period between 4 am and 10 am for all venues except the casino; statewide mandatory precommitment and carded play, along with a reduction in load-up limits on gaming machines from \$1000 to \$100; changes to the casino in respect to timing of payment of winnings issues for mandatory carded play; and the appointment of a manager for the casino in the event that the casino licence is surrendered, cancelled or suspended. I will note that the legislation does provide some release in the event that third-party operator Intralot has downtime, outages or technical issues that are beyond the capability of the casino or venue operators to manage, so that venues will not be penalised for such technical issues that occur outside their control. I rise to voice the opposition's cautious support for these proposed amendments.

We on this side acknowledge that many Victorians suffer as a result of gambling-related harm, whether directly or indirectly, and we are absolutely supportive of efforts to minimise gambling-related harm within the Victorian community. As a relatively new MP I used that particular freedom, before my elevation to the front bench, to champion harm prevention policies related to gambling and pokies. I see it in my own electorate, which includes many of the LGAs that see the highest rates of gambling-related harm. I have seen firsthand the issues which the bill seeks to address, and I have seen firsthand coordination going on in the northern suburbs between venues to stagger closure times. I have seen firsthand the effect that this has on families and family breakdowns, particularly, I must say, in multicultural communities. I continue to urge the government to invest more in harm prevention directed towards vulnerable CALD communities. On this particular issue I would like to acknowledge the advocacy of my friend the mayor of Hume City Council Joseph Haweil – yes, unfortunately a Labor man, but I do want to acknowledge him because it takes a lot of guts to over and over again criticise your own team. But I think it is a good example of putting the local community first, before your political stripes, and I think it is something that we all ought to aspire to in public service.

I have previously stood in this chamber to speak about how the state government's botched licensing processes ended up costing local clubs and RSLs in my electorate hundreds of thousands of dollars. The Glenroy RSL in my electorate saw itself at the centre of a tug of war between the state government and Merri-bek council when it applied for 10 additional pokies licenses in 2016. The council had refused permits for their installation. The decision was actually first upheld by VCAT before making its way to the Supreme Court and being turned down. The Glenroy RSL was ready to hand back its licences in return for fees it had paid, but the then Andrews government refused, demanding further payments of up to half a million dollars for licences they were not able to use. They were even sent

some very aggressive letters from the Victorian Gambling and Casino Control Commission urging them to ‘use it or lose it’, despite the fact that they were not permitted to ‘use it’ by the local government. After a long-fought community campaign that I was proud to advocate for, the government then came to its senses and was forced to back down, but it actually should not have come to that. Unfortunately we are seeing the same scenario play out nearly six months after the Glenroy RSL fiasco.

What I would like to highlight is how the state government has gone about these reforms. Many pubs, clubs and venues like local RSLs, who play important roles with their communities, would have signed up to the state government’s 20-year licence agreements that were announced just last year, and now they will be reduced in how and when they can make up the use of these licences. This will mean that local clubs may see themselves hundreds of thousands of dollars out of pocket – money they could have spent otherwise on their communities, which I know that they do. With this case we see – and we see it every week, we are seeing it today – yet another bungled approach to consultation from this tired old Labor government. It was only in September last year that the Minister for Casino, Gaming and Liquor Regulation herself assured clubs that potential reforms would be limited to the casino. I will say it again – would be limited to the casino. But as I mentioned, in July, without any indication or consultation with the sector from the government, they unilaterally announced these reforms. In an email to the industry in late August, well after they announced it, they said:

The Department of Justice and Community Safety has compiled a consultation paper to assist with the early stages of policy development ...

after they have already announced it. How do you assist with the early stages of policy development in regard to a policy that has already been announced by the government? We in the opposition believe in consultation at the right time with all sides of the story, with all sorts of productive feedback that you get that goes along with that proper process and proper consultation.

My colleague the Shadow Minister for Casino, Gambling and Liquor Regulation Danny O’Brien has consulted with advocacy groups like the Alliance for Gambling Reform and the Gambling Harm Lived Experience Experts, along with industry groups the Australian Hotels Association and Community Clubs Victoria. The AHA and CCV together employ some 80,000 Victorians and contribute over \$5 billion to our state’s GDP and provide \$1 billion of assistance to the community through donations, in-kind labour and free or subsidised access to their facilities. I will note that not every job in relation to these sectors is related to gaming machines. Many such venues simply do not have these machines, but they are certainly a key component.

In announcing these reforms in July, the then Premier Daniel Andrews boasted that:

These reforms will provide the strongest gambling harm preventions ... in Australia ...

The very amendments proposed by the government itself contradict this claim that has also been repeated in the Parliament. In typical hypocritical Labor fashion, the Allan government wants to see Crown Casino exempted from the 4 am to 10 am mandatory closure period it seeks to impose on every other venue across Victoria. Let us not forget what I said before, when I said reforms would only be limited to the casino. Now we have got a case where reforms are considered to everything but the casino. Claiming that Crown Casino is a destination in and of itself, we have seen this government provide preferential treatment to Crown Casino at every turn. A blind eye was turned to what was going on at the casino, leading to the Finkelstein royal commission, from which many of these recommendations originate. The Royal Commission into the Casino Operator and Licence uncovered the atrocious behaviours of Crown Casino, which in the words of Commissioner Finkelstein were simply ‘disgraceful’ and ‘illegal, dishonest, unethical and exploitative’.

These are some strong words from the commissioner, and I remind the chamber that the Labor government was dragged kicking and screaming into undertaking the royal commission. The findings of the royal commission reflect poorly on the Victorian Commission for Gambling and Liquor

Regulation as the then regulator, and we hope that the new Victorian Gambling and Casino Control Commission will do a much better job than its predecessor. If its treatment of small RSL venues in the northern suburbs is anything to go by, I do not hold out much hope, but there is some hope.

The Minister for Casino, Gaming and Liquor Regulation currently holds power to prohibit wagering on events and activities that may be seen as out of touch with community expectations within the state of Victoria. A minor amendment will see this altered to include events and activities in Victoria and elsewhere. We saw in response to reports earlier this year that major betting companies had taken bets on cricket matches involving minor teams with under-age players as young as 15 years old. This attracted much criticism, particularly from parents, who complained that these kids are not racehorses and not greyhounds. I acknowledge the intention of the amendment in seeking to prevent a repeat of this, but it does raise some concerns and questions about how far-reaching these powers would be. Many sporting codes and leagues have featured under-age players. We can look to our very own Australian Open or A-leagues – like in the Matildas – where younger players have made appearances and even gone on to win championships. The government needs to be reasonable and sensible with this amendment to ensure that there is clarity on what sporting codes, events or games could fall under such prohibitions.

I would like to return to the issue of mandatory closing hours. I refer back to the findings of the royal commission against Crown Casino. With this proposed amendment, individual venues which have not engaged in or been accused of engaging in a fraction of the misconduct that Crown has committed will find themselves targeted. This is why we are moving forward with an amendment to clause 26, which inserts new section 3.5.28A, which reads:

- (2) This section does not apply to a venue operator who is a casino operator.”.

Our amendment adds the words:

... “or in relation to an approved venue that is within 3 km of a casino”.

I would like to circulate that amendment standing in my name.

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

**Evan MULHOLLAND:** This amendment will take in such venues in and around our CBD which, just like Crown, attract tourists and visitors all year round. Unlike the government, who treat the casino like a protected species, our amendment will extend the emphasis to make our CBD and the inner city a more welcoming environment and destination for patrons and visitors of all walks of life. If we are to be a vibrant, welcoming and truly international city, we cannot monopolise all that our city has to offer in one single casino. This is a very sensible amendment and seeks to support certainly the venues in my electorate in the CBD that would be disadvantaged as a result of government favouritism towards Crown Casino.

We saw damning findings at the royal commission. We then saw the government say, ‘Reforms would only be limited to the casino,’ only to bring in a bill that announces reforms to everyone but the casino. So the opposition is seeking to expand that emphasis. If the government says it is a tourist destination with economic value and is an attraction for the city, then that should also include the city. It should also include ‘within 3 kilometres’ so that we can capture the city and capture those venues that do draw in people from all over the country and indeed all over the world. The city is getting back on its feet after COVID, and we want to see the city thrive. But everything this government is doing, from floating a new injecting facility to keeping public servants away from the city, seems to be aimed at minimising the importance of Melbourne’s CBD as a global arts and culture capital.

Why 3 kilometres? My colleague Danny O’Brien has outlined that a 3-kilometre radius drawn from the existing casino will encompass many of Melbourne’s inner-city entertainment districts, including Richmond, Fitzroy and Carlton within my electorate. We do not stand in opposition to the proposed legislation. Rather, we encourage the government and the crossbench to support our amendment,

which will strike the right balance between reducing gambling-related harm in our suburbs and ensuring the viability of our CBD and the inner city as a truly attractive and global entertainment destination.

**John BERGER** (Southern Metropolitan) (13:53): Today I rise to contribute on the Gambling Legislation Amendment Bill 2023. This bill is an ambitious package. It aims to protect those who gamble in Victoria, and it is specially designed to assist those who experience general harm to their wellbeing because of their gambling. The package is in recognition of the ongoing harm that gambling can present to individuals when they are victimised by predatory practices and sometimes even malpractice. This bill includes several reforms around the regulation of gambling within the state of Victoria by addressing multiple ways in which gambling harm is increased.

The bill also includes measures to protect Victorians from potentially harming themselves by using interstate or international gambling providers. The bill also includes important protections, where logical and needed, for the effective operation of it. For instance, it protects casinos and other gambling providers who observe mandatory carded play when there are cases of outages or other technical faults outside the venue's control. To do this the bill amends several parts of three acts of Parliament that address gambling and casino regulation in Victoria. Those acts are the Casino Control Act 1991, the Casino (Management Agreement) Act 1993 and the Gambling Regulation Act 2003. Many of these amendments made to the Casino (Management Agreement) Act 1993 are simply consequential reforms triggered by the amendments made by the Casino Control Act 1991 and the Gambling Regulation Act 2003.

Whilst there have been many bills passed through this place recently that relate to the Royal Commission into the Casino Operator and Licence, a subject that I will certainly discuss later in this contribution, and the implementation of the Honourable Ray Finkelstein KC's recommendations from the final report of the royal commission, this is different. The bill is significant in that it is the first bill in a series of legislative reforms that will transform gambling regulation as we know it in Victoria. The Allan Labor government's gambling reforms will be integral in creating a state that is fairer and safe from gambling harm, whichever form it comes in. These reforms were announced back in July by the then Premier, Daniel Andrews, and the Minister for Casino, Gaming and Liquor Regulation in the other place, Minister Horne, just over a year after the introduction of the Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022. That marked the beginning of our government's mission to fix the problems we face with gambling here in Victoria, and it was so exciting to see the first step towards the implementation of the Allan Labor government's gambling reform agenda in this bill today.

These reforms will complement and add to the reforms we the Allan Labor government have already implemented, those recommendations by the Royal Commission into the Casino Operator and Licence. The Allan Labor government's gambling reforms will prioritise the minimisation of harm to the community, especially those suffering from gambling habits, labelled as problem gambling. However, these reforms will be designed in such a manner that they do not unduly harm the gambling industry. There are flow-on effects for the food and the drink purchased at these venues, plus the staff employed there as cooks, security, waiters and waitresses and much, much more.

However, it is impossible to ignore the ongoing negative effect that gambling is having across Victoria. For many, gambling is an addiction: 36,000 Victorians suffer from what the Victorian Responsible Gambling Foundation defines as problem gambling, and we know that this disproportionately affects men. Men represent a higher proportion of the problem in moderate and low-risk gambling, with the 35-to-44 age group representing the highest number of low-risk, moderate-risk and problem gamblers. This is an issue we have a responsibility to address. Gambling harm can come in many different forms. The Victorian Responsible Gambling Foundation outlines many of those different forms. There is financial harm. This is expected – that problem gambling will lead to the loss of spending money and the loss of savings. It is well and good when you are gambling your spare change, but problem gamblers do not just stop there. The financial damage can escalate if a problem gambler goes

unchecked. Problem gamblers can find themselves bankrupt or in debt. Then there is the emotional and psychological harm, which due to the high stress that this can cause, may translate into physical health issues. Other impacts on the problem gambler's life include decreased performance in their place of work or study and a breakdown of their relationship. For these people it is not just losing money at the pokies. Gambling can mean losing their wellbeing.

This was made more apparent by the Royal Commission into the Casino Operator and Licence. Whilst primarily focused on the appalling facilitation of laundering in Crown Casino, the Finkelstein report highlighted predatory practices by the casino. As a result the Allan Labor government have committed to cleaning up Victoria's gambling regulation and reputation, and we are listening to the 33 recommendations in the report and diligently writing them into law. This bill we are discussing today addresses many of those recommendations, from recommendations to improve protection for patrons against harm to strengthening and clarifying our anti-laundering laws for Victoria.

So let us look at the bill. Firstly, the bill prohibits the operation of gambling machines outside of casinos between the hours of 4 am and 10 am. This is for the purpose of minimising harm to individuals whilst gambling. The Allan Labor government and minister for gambling in the other place have put forward this regulation because of the studies showing that late-night gambling, especially late night and early morning use of gambling machines, has a direct connection to increased vulnerability to gambling harm. At this stage licences provide that venues operating gambling outlets may only provide access to gambling for 20 hours a day. However, it has become apparent that some venues will stagger their opening hours. This practice allows people to jump from venue to venue and seemingly gamble without a break, and this is unacceptable. By not only extending mandatory downtime but also standardising it, patrons across Victoria will have no choice but to simply have a break. One of the best ways to mitigate gambling harm is to simply step back and get out of the zone. This regulation will ensure that gamblers have the chance to take a break. The failure of a venue to observe this law by letting a patron operate a gambling machine between 4 and 10 am will warrant 120 penalty units, a punishment we believe to be reasonable considering the risk that extended gambling presents to the community. Let us all be honest with ourselves: there is no justification for a pub or a sports bar to be operating poker machines at 5 o'clock in the morning. There is just no reason for it.

For a long time this state has needed to get serious about gambling and the harm it causes to the general public and removing the possibility of unnecessarily long gambling sessions that jeopardise gamblers' livelihood and wellbeing. I recall speaking on the Gambling Regulation Amendment Bill 2023, in which I mentioned a case I found reported in the *Age* of an individual who was found gambling for 24 hours straight. The fact that that was allowed to happen is deeply concerning, which is why the Allan Labor government is taking every sensible step we can to ensure that vulnerable Victorians are not taken –

**The DEPUTY PRESIDENT:** Mr Berger, I wonder if you would mind speaking up. I cannot hear you, sorry.

**John BERGER:** My voice is a bit croaky today. I can press on.

I would also like to touch on other ways the Allan Labor government has encouraged Victorians to take some downtime from pokies. The voluntary precommitment program YourPlay has allowed players in Victoria to be more aware of the decisions they are making when they gamble and keeps them aware of the money that they are losing and the time that they have spent. A review of the performance of the program by the South Australian Centre for Economic Studies at the University of Adelaide determined that it had been effective in improving the lives of participants. This bill makes minor amendments to the technical aspects of the precommitment program in the Casino Control Act 1991. This will ensure that mandatory precommitment may continue to successfully address gambling problems in Victoria for years and years to come.



The bill also extends contingency offences to account for interstate events that do not serve the interests of the Victorian people. At this stage the relevant minister has the power to ban certain betting services licensed within Victoria. This is intended for betting providers that provide a gambling service that is not in line with safe gambling habits or community expectations, such as gambling on an under-18s footy match. This is in recognition of what is appropriate and what is not. Unfortunately, this does not extend to many betting providers, as many are licensed out of the state and provide bets on events that are out of the state. This means that Victorians are still able to participate in betting practices that are inappropriate. Under this amendment the power of the minister to address gambling providers acting against the interests of Victorians will extend certainly back to the royal commission.

This bill also seeks to further address the recommendations delivered by the Finkelstein report pertaining to regulations surrounding the payment of winnings. One of the key findings of the royal commission was the ease with which money was paid through Crown Casino's high-ceiling cash payments. This is to be addressed by clarifying the cash payment provisions in the principal Casino Control Act 1991. A previous bill made it an offence to deliver cash payments of more than \$1000 in a 24-hour period to make it difficult to perform a money-laundering scheme or other financial crimes through the Victorian casino. This bill provides that this will be implemented at the same time as mandatory carded play. This will ensure that casinos will be able to effectively respond to potential financial crimes using future technologies. This will ensure that the negligence that allowed such large-scale financial crimes to occur cannot legally continue. Mandatory carded play will now allow casinos to actively observe any anomalies and swiftly address potential cases of money laundering.

Additionally, in accordance with the recommendations of the Royal Commission into the Casino Operator and Licence, this bill will clean up and slim down complex and confusing legislation surrounding the management of the casino and the regulator's decision on whether the casino is still able to run or suitable to run. These amendments to the Casino Control Act will vest management of property in a manager to facilitate operations in a case in which the casino is appointed with external administrators. The manager will protect it from third parties who may meddle or enforce interest on managed properties as well as being protected from the risk of legal action or personal liability. All of this is to ensure that if the casino's current or future licence is suspended and investigated, the investigation by the gambling regulator cannot be clouded or impeded when determining the suitability of the casino. It is important that the manager can do their job to the best of their ability as the casino is examined.

This is a bill that marks the beginning of a significant meaningful gambling reform for the state and a step towards improving the lives of those nearly 30,000 Victorians suffering from the negative side of the gambling industry. The Allan Labor government has always been dedicated to gambling reform that prioritises people and gambling reform that listens to the negative outcomes that poor regulation causes, and it seeks to introduce reforms that are better for the entire community. Earlier this year the Allan Labor government introduced a tax regulation reform to encourage a more competitive gambling industry. Through the Gambling Taxation Bill 2023 and the Gambling Regulation Amendment Bill 2023, the Allan Labor government will achieve the end of monopolies that have for so long damaged the wellbeing of Victorians suffering from gambling issues. This bill will now seek to further support those suffering from gambling issues and directly engage with their problems. It is ambitious, but it is also necessary. I would like to commend all parties involved in drafting this bill, especially the Minister for Casino, Gambling and Liquor Regulation in the other place Minister Horne. It is another fine bill that addresses the need for gambling reform in the state.

The bill underwent examination and scrutiny by relevant stakeholders and groups. Of course the government heavily consulted with the Victorian Gambling and Casino Control Commission, the prime source for Victoria on responsible gambling and casino procedures. Further, the government sought the advice of the commissioner of the Royal Commission into the Casino Operator and Licence Ray Finkelstein KC following his exemplary performance in his role as commissioner. Representatives from the gambling industry, including the casino operator, were consulted to ensure

that the reforms could effectively mitigate harm whilst maintaining the benefits to the gambling industry, residents and the Victorian economy. It is my understanding that the relevant government departments have also been consulted and informed to ensure a smooth coordination and implementation of these policies. This is in addition to the involvement of the Premier and cabinet.

These reforms are important and essential to building a fairer Victoria, which is why drafting this bill has been done alongside rigorous community consultation – as the Allan Labor government does with every bill it proposes. We believe in listening to the experts, and we always will. This bill will effectively address many faults highlighted by the Royal Commission into the Casino Operator and Licence as well as kickstarting the Allan Labor government’s gambling reform agenda. This will be effective in mitigating harm to gamblers and gambling patrons and cracking down on venues and providers offering predatory and inappropriate services. It should also be noted that in the construction of this bill the government was careful not to unfairly punish gambling venues that abide by the rules. It is important that regulation ensures that its role is not a harmful and damaging one. I commend the bill to the house and urge my colleagues to join me in voting it up.

**Katherine COPSEY** (Southern Metropolitan) (14:07): The Greens will support the government’s Gambling Legislation Amendment Bill 2023. The majority of the provisions in this bill complete legislating the remaining recommendations from the Royal Commission into the Casino Operator and Licence. We commend the minister on finalising this work. Mind you, legislating all the recommendations was imperative in this case given that the royal commission found that:

Within a very short time, the Commission discovered that for many years Crown Melbourne had engaged in conduct that is, in a word, disgraceful. This is a convenient shorthand for describing conduct that was variously illegal, dishonest, unethical and exploitative.

We also know that there is an important deadline coming up. The royal commission found that Crown was not fit to hold the casino licence and granted a specific two-year period under which an external special manager has overseen all aspects of the casino’s operations and ensured all rules and regulations are complied with. That two-year deadline expires in January 2024, and the special manager will report to the regulator, the Victorian Gambling and Casino Control Commission, and the regulator will then decide whether it is clearly satisfied that Crown Melbourne has returned to suitability. If the regulator is not clearly satisfied, Crown’s licence could be cancelled. We will certainly be watching that space with interest in the coming months. This leads me to one aspect of this bill, which is to provide more powers to the special manager to be able to wind down operations and disburse assets, including assets owned by Crown’s parent company, and ensure these are properly transferred. It does seem sensible to have these additional powers in place given the possibility of cancellation of licences.

Also in this bill there is an amendment allowing the minister to set the date for commencing the provision where the casino does not pay out more than \$1000 in winnings in cash to an individual without confirming their identity prior. This measure has taken longer than expected, but we are advised by the minister’s office that it has been to allow time for the rollout of mandatory carded cashless gaming across the whole casino, which will allow tracking of an individual’s wins and losses across the whole venue and different gambling mechanisms, including poker machines and table games. This will enable implementation of the royal commission’s recommendation. It is slower than what stakeholders have called for, at least stakeholders other than Crown, but at least it is being implemented with this bill.

The bill includes one really welcome step towards harm minimisation. The Greens have long advocated for longer and uniform mandatory closure times for poker machine dens. We all know that these venues are primarily pubs and clubs in our neighbourhoods and regions, and they are the site of so much gambling harm in our state. The Greens policy is that mandatory closing hours should be from midnight to 10 am. We see in the bill here that the government proposes only a standard 4 am to 10 am closure time. I take the opportunity to circulate the amendments in my name at this time.

**Amendments circulated pursuant to standing orders.**

**Katherine COPSEY:** I will speak to these amendments further during the committee stage, but quite simply the amendments amend the bill so that the mandatory closing period starts at midnight, not at 4 am.

It is necessary to reiterate the scale and the exploitation that this harmful gambling industry inflicts. The latest data released by Monash University confirms yet again that communities continue to be decimated by the harmful gambling industry. In Victoria losses over the last year are 12 per cent higher than 2018–19, which was the last financial year not to be impacted by COVID restrictions. Poker machines drained over \$3 billion in that financial year from families, from people and from our communities, and that reporting actually excludes poker machine losses at the casino, so the true figures of losses are even higher. A recent landmark study by the Victorian Coroners Court exposed data showing that gambling addiction contributed to 184 suicides over eight years. This statistic affected mostly men aged between 17 and 44 years of age. The rate is likely higher than this, as gambling is not routinely investigated by coroners, and more recent research published in January showed that 40 per cent of Australian veterans with gambling addictions have thought about ending their lives and one in five has attempted suicide.

In conclusion, while we commend the minister and the government for these reforms, we know that they only represent a small step in the right direction and there is much more work to do. We look forward to working with the minister to develop further the comprehensive reforms, based on a public health, harm reduction framework, and the Greens will continue to advocate for further changes to protect our community from the predatory gambling industry.

**Matthew BACH** (North-Eastern Metropolitan) (14:13): It is good to rise to make a contribution on this important bill. It is possible to hold two ideas in one's mind. One idea of mine and one view of mine is that pubs and clubs are fantastic – really important social hubs in particular. I was at a pub on Sunday, as I am most Sundays, down in Mordialloc with some friends of mine. One of the things I am really looking forward to about leaving this place and moving overseas to the south of England is that I am moving to an area that I think has the greatest saturation of pubs anywhere in Western Europe. Pubs and clubs are fantastic places, overwhelmingly run by and staffed by great people. I am rabidly pro public houses.

My second idea is this: that poker machines could have been devised by the devil himself for the sole purpose of destroying the lives of the most vulnerable and poor people in our community. So, like former speakers and as Mr Mulholland has said on behalf of the opposition, we do not oppose this bill. There are elements of this bill that are positive, and yet for me, notwithstanding the comments of Ms Copsey, which I agree with, regarding opening hours, opening hours are not really the main game. The main game, in my mind, is regarding limiting losses. I would love, if it were possible, to simply abolish poker machines tomorrow. That is not possible for a whole range of reasons. I know what has been said by numerous members of the Nationals initially in the lower house, and then other members of the Liberal Party as well, about the promises that were made to pubs and clubs before the last election by this government that have now been broken. On a personal level I would love to abolish poker machines tomorrow. That is not going to be possible. The best way, according to the experts that I have engaged with on this issue over a long period of time, of minimising harm is certainly as part of that to look at opening times, as the government has done and as Ms Copsey was saying, but then to seek a mechanism to limit losses.

I would commend to the minister and to the government the excellent scheme currently being put in place by the Tasmanian Liberal government, spearheaded by Michael Ferguson, who is the Treasurer in Tasmania, whereby there will be cashless cards mandated across Tasmanian pokies venues with strict loss limits per day, per month and per year. From the recent briefing I had on the Tasmanian scheme there would be a loss limit per day of \$100, a loss limit per month of \$500 and a loss limit per year of \$5000. Again, on a personal level, I would support an approach that is stricter than that; I would

like to see people lose less than \$100 a day or \$5000 a year on poker machines. But that approach being championed by the Liberal government in Tasmania is a really good approach.

I am not sure what the approach is, when it comes to carded play, by the Labor government. Certainly I understand from the public commentary of the former Premier that it is not going to introduce loss limits. My understanding of the government's approach – and we do not know when these cards are going to come into place, if indeed they will – is that people will be able to set their own losses. My personal view, and the view of longstanding advocates like the Reverend Tim Costello, is that if we want to reduce the appalling harm that poker machines do in the community, then we have to have a clearer approach than that.

When one articulates a strong view on poker machines, one is at risk of being branded a wowser. As I said at the outset, I am rabidly pro-pub – I am there most of the time – and I would like to see taxes reduced on alcohol. Like the former Premier, from time to time I have been known to sneak out for a quick smoke. I think that our regulations when it comes to cigarettes, certainly vaping, could be changed to allow greater freedom. But when it comes to poker machines there is a real difference certainly between different types of gambling based on the harm. The statistic that the Reverend Mr Costello uses is this: 62 per cent of pokies revenue comes from people who are addicted. And of course that is a great boon for us here in this place. Last year the state collected more than \$1.38 billion in pokie revenue. It is hard for state governments to reform pokies, because in this place we receive so much money straight out of the pay cheques of some of the most poor and vulnerable people in our community.

I am pleased that the government has sought to move ahead to enact some of the elements of the royal commission, but for me what we are debating today is not the main game. The main game is cashless gaming cards, and again I would commend to the members opposite in particular the excellent schemes that Liberal governments around the country are seeking to adopt. Mr Perrottet took a good approach to the last New South Wales election. It was interesting because the head of the relevant industry body in New South Wales attacked Mr Perrottet and said he was simply following his 'Catholic gut'. He resigned after that slur. That turbulent priest Mr Costello then called the New South Wales Labor Party 'the party of social injustice' because they did not follow the lead of the Liberals in New South Wales. On a personal level I am pleased that the government has said that ultimately it will seek to do something around carded play – but not much. To be fair to the government, we have not seen much detail, so if the government was to seek to come forward with more detail about that scheme and if that scheme was to look more like what Mr Perrottet had put forward in New South Wales or what is currently being put forward by the Tasmanian Liberals, then experts may shift their view that we are not looking at a party of social injustice.

Furthermore, we do not have a time line, so I would like to use the opportunity today to urge the government to get its skates on, because the harm that is being done in our community right now as a result of addiction to poker machines is very significant. But if the government is not going to get its skates on, at least be clear with us about when the plans that it has said it will put in place will come to fruition.

**Jacinta ERMACORA** (Western Victoria) (14:22): I am very proud to speak in support of the Gambling Legislation Amendment Bill 2023 and in support of those Victorians who are struggling with gambling addiction and the people that love them. As others have noted, this is the first tranche in the government's nation-leading commitment to reforming electronic gaming across our state. Announced earlier this year, these changes will ensure Victoria has the strongest gambling harm protections in the country, and these include: capping load-up limits to \$100 instead of the current \$1000; slowing the spin rates to reduce the pace of games and the amount of money being lost; introducing mandatory precommitment limits on machines, ensuring that users make a conscious decision about how much they spend before they spend it; and enforcing a mandatory closure period for gaming machine areas between 4 am and 10 am. I would like to thank and congratulate the Minister

for Casino, Gaming and Liquor Regulation Melissa Horne and all those who have contributed to the development of this bill, especially those who have provided feedback through consultation.

With this bill we are enacting that final point: limiting access to electronic gaming machines in the early hours of the morning. To me there are two key needs addressed in this legislation. The first is that there is evidence that some venues have been staggering their opening hours, essentially taking it in turns to close their doors and encouraging their patrons to ping-pong between venues to continue gambling, so there will be a mandatory closure period between 4 and 10 am. Up until now venues have had to close their gaming room for 4 hours, but it has been up to them to choose those 4 hours. This has led to venues staggering their opening hours to provide 24-hour access to gambling, and this behaviour of venues is widespread. Across one-third of the state, poker machines are available 22 hours a day or more. The impact of this is felt deeply in our suburbs and is reflected in Victoria's gaming losses. In seats such as St Albans, Footscray, Broadmeadows, Frankston, Oakleigh and Monbulk, venues stagger their opening hours to provide 24-hour, seven-day-a-week access to poker machines in pubs and clubs. This is a real problem. It is not much better in Dandenong, Melton, Thomastown, Northcote, Richmond and Bulleen, where patrons can gamble on poker machines for 23 hours a day. And we know from the data collected by the Victorian Gambling and Casino Control Commission that when venues stagger their opening hours patrons move to nearby venues to continue gambling.

Secondly, something which almost feels so self-evident it does not need articulating: no-one, absolutely no-one, is gambling for a good reason at 4 in the morning. Like many in this chamber, I have seen the very real and personal impact of gambling harm firsthand. Before I get into that, I would like to examine the issue of some cold, hard numbers. Every year around 330,000 Victorians who gamble experience harm as a result. A further 300,000 are negatively impacted by someone else's gambling. My own community in Warrnambool is not immune. Each and every day more than \$50,000 is spent on pokies, totalling almost \$18.5 million every year. That comes from the 'Pokies across Victoria' page at [responsiblegambling.vic.gov.au](https://responsiblegambling.vic.gov.au). That is equivalent to \$658 for every single adult in our community, the fourth highest in the state. Other parts of my electorate – Central Goldfields, Horsham and Ballarat – are also included in the top 20.

Then there is the economic and social cost of problem gambling, estimated to be around \$7 billion in Victoria every year. Research from the Victorian Responsible Gambling Foundation in 2017 set out these costs in real dollar figures: \$2.2 billion for family and relationship problems, including divorce and family breakdown; \$1.6 billion for emotional and psychological issues, including distress, depression, suicide and violence; \$1.3 billion for financial losses through, for example, excessive spending on gambling, bankruptcy and illegal offshore gaming; \$1.1 billion in costs for the Victorian government, including mental health and homelessness services; \$600 million in lost productivity and other work-related impacts; and \$100 million in costs of crime, including businesses and the justice system.

It is an alarming and eye-watering amount, but then you consider the far greater human cost – parents and partners, siblings, sons and daughters, grandparents, workmates and friends. Gambling harm does not discriminate. It impacts all of us, and all too often in profoundly life-altering, sometimes life-ending ways. A recent landmark study from the Coroners Court found that gambling addiction contributed to at least 184 suicides in Victoria between 2009 and 2016, although that figure could be much higher. The report also found that suicides were significantly more likely to occur among those most disadvantaged, because although I said earlier that gambling harm does not discriminate, we also know that the greatest cost is often experienced by those who are most vulnerable.

Of course the impact of that harm does not simply sit with the individual either, reaching and hurting entire families, workplaces and communities. Rather, addiction is a mental health issue and for many a way of coping with past trauma. I saw that in my work as a counsellor at the South Western Centre Against Sexual Assault (CASA). As a social worker, I practised as a counsellor-advocate for seven years, when I provided therapeutic services to women, teenagers and a small number of young men

who were survivors of the Christian Brothers school in Warrnambool. Working with survivors of sexual assault was a deep privilege and honour for me. It was always an enormous step for a survivor to walk into our centre and ask for help. It was also an enormous step for them to share their deepest fears and experiences with another human being, often for the first time.

Whilst I cannot and will not disclose the identity or identifying characteristics of any of my past clients, I can describe in general terms some of the dynamics that I encountered over the years with clients I worked with. One of the biggest lessons that I learned from these survivors was that their dysfunctional and sometimes antisocial behaviours were not reflective of immoral or criminal intent but rather of coping mechanisms that helped them survive, hour by hour, day by day. I had one such client at South Western CASA, whose coping mechanism for post-traumatic stress disorder was to gamble on electronic gaming machines. This activity provided the same dulling of pain and distraction, quite similar to what other survivors use but with different strategies, like self-harm, prescription medication abuse, alcohol and other drug abuse and so on. By her own description she pretty much ruined her family, financially, in secret. Although she was no longer in an abusive relationship, the pain and trauma she experienced continued to impact on her everyday life. She found it difficult to put her intrusive thoughts aside. Memories of what she had been through felt as real, as present, as when she first experienced them. So during her lunch hour and at the end of her day's work she would head off to a gambling venue where, amid the bright lights and flashy colours, she was able to escape the horror of her abuse at least for a while.

In a therapeutic environment it was important to acknowledge this behaviour as an effective coping mechanism rather than judge her for her addiction to gambling or its impact on her family. In fact helping her reframe her understanding of the role of gaming in her life was an important first step on her journey to recovery. She began to appreciate that gaming was a very clever and effective way for her to cope with recurring trauma memories and intrusive thoughts. Her gaming allowed her to maintain at least a partially functional daily life. Her gambling also helped her hide the trauma she faced every day.

I felt privileged to watch her move from self-loathing and self-judgement to a deeper understanding of how strong and smart she was for surviving. Once she began to forgive herself we were able to start creating other strategies to deal with her PTSD, which eventually meant that she was able to let go of the gaming. It is unlikely that she will ever read this speech, but I would like to put on record in this place my deepest respect for her and those like her who not only survive their initial trauma but also survive the long and often arduous journey towards recovery. These reforms are an important ingredient for them, along with the vital support provided through CASA and other Victorian organisations that work with the survivors of trauma and abuse.

As these individual stories show, harmful gambling is often far more complex than a simple behaviour problem, far more complex than a simple moral judgement. Telling people to stop, to change, to be better, does not really work. Instead it often entrenches both the problem and the accompanying guilt even further. Truly addressing gambling harm requires real and systemic policy change. The reforms contained in this bill, as well as the larger suite of gambling reforms planned by the government, achieve exactly that. While for many of us capping the load-up limits, slowing spin rates, introducing mandatory precommitment limits and making sure that the venues are closed between 4 am and 10 am seem like a small change, for Victorians who are in the grip of gambling harm and for their families and communities it will make a real difference – a profound difference. Up until now, venues have had to close their gaming rooms for 4 hours, but it has been up to them to choose when they do so.

We will be making it compulsory for pubs and clubs to close their gaming machines between 4 am and 10 am. All gaming machines in this state will require the mandatory carded play and precommitment, meaning that if a patron wishes to play a machine, they must set the amount they are willing to lose beforehand. These measures, combined with a significant slowing of new machines by more than 40 per cent to 3 seconds per game and a 900 per cent reduction in how much money can be put into machines, will change the way people experience gambling. I commend the bill.

**Gaelle BROAD** (Northern Victoria) (14:36): I rise today to speak on the Gambling Legislation Amendment Bill 2023. The government announced on 16 July a series of gaming reforms including mandatory closure periods between 4 am and 10 am, statewide mandatory precommitment and carded play, a reduction in load-up limits on gaming machines from \$1000 to \$100 and reduced spin rates on gaming machines. To quote the minister's second-reading speech:

On 16 July 2023, the former Premier and I announced Australia's most significant package of gambling reforms.

Understandably this announcement caught the industry off guard, because less than 12 months earlier clubs had re-signed with the state government for an agreement of an additional 20 years. So it had been less than 12 months since the election, when no reforms were cited, and in a letter last September the Victorian Minister for Casino, Gaming and Liquor Regulation Melissa Horne assured clubs the government's changes were limited to the casino. But what we are seeing under this government is that it does not matter if you sign a contract and enter into an agreement with the state government – contracts do not always mean much. We have seen that with the Commonwealth Games, which were cancelled, and in this case the goalposts have changed.

I have spoken before in this chamber about the harm that gambling can cause. Gambling can become an addiction. It can snowball from issues such as broken relationships, poor health, financial pressures and social isolation. Just this week we met with a financial counselling service that talked about some of the challenges of helping people who have got themselves into a difficult situation and significant amounts of debt because of gambling. So there is no doubt that gambling harm is a problem in our community, and there is no doubt that electronic gaming machines are a part of that harm.

Dr Matthew Bach just spoke before about the impact of poker machines and the \$1.38 billion received each year in revenue from poker machines that contributes to state government coffers. But it was actually a desperate and broke Labor government that introduced pokies, and you will recall Joan Kirner on the front of the *Herald Sun* putting a coin into the slot. Wendy Lovell may recall that – she has been in politics a lot longer than I have. But there is a serious problem with people addicted to poker machines who are losing lots of money and who are harming themselves, harming their families and harming their friends by spending too much money – often money they do not have – on gambling machines. I support any efforts to address the level of problem gambling in Victoria. Australians have the highest rates of gambling losses per adult in the world with the loss of \$1277 per year on gambling for the average Australian. One in five Victorians who gamble may experience harm from gambling, and Victorians lost \$2.2 billion at the pokies in the 2021–22 financial year, and the heaviest pokie losses occurred in the most disadvantaged areas. We have got to remember that gambling harm not only occurs at the pokies but can also occur at the races, the dogs, the trots and online.

In 2011 it was a coalition government that set up the Victorian Responsible Gambling Foundation, which is effectively being wound up by this government and rolled into the Victorian Gambling and Casino Control Commission. We will not oppose these reforms – we have circulated an amendment – but as I mentioned, these changes have come out of the blue and there are a lot of questions that need to be answered to assist the industry. The government effectively entered into a contract with pubs and clubs for the provision of gaming licences and about a year later announced significant reforms that could have quite genuine impacts on their revenue and on the value of those licences and expose the state to a potential sovereign risk issue. I have spoken with people from Community Clubs Victoria, the RSL and Bendigo Stadium, and all have raised concerns about the impact of these proposed changes. Dennis Bice, the CEO of Bendigo Stadium, gave correspondence. The club commenced operating gaming machines in 1984, and they re-signed for 20 years with the state government last year. A letter to the minister says:

With the recent announcements by the Premier, the club will have to reassess all capital expenditure and any expansion plans, as well as offering new employment opportunities to staff.

It goes on to state:

It is difficult to understand why your government would change the status quo shortly after clubs have resigned an entitlement contract with Government that provides for no recourse to exit gaming and appears to be materially unfair and unjust in the context of the recent announced changes.

Our club's not-for-profit objective is clear, to support our members with facilities, services and in turn support our local community.

We are desperately concerned by the potential detrimental financial impact of the Government's gaming reforms and can report that if our revenue is impacted by a reduction of greater than 20% we will be facing the 'financial cliff' and the future of our club placed in jeopardy.

Once again we are seeing policy on the run – government making an announcement without first doing their homework and without proper consultation. In fact they asked for input after they had already made the announcement.

I will note some of the concerns. Certainly they are not worried about the reduced operating hours, although it is worth noting that reduced hours will apply to everyone except Crown Casino, which is extraordinary given Crown's track record – a royal commission identified disgraceful behaviour, money laundering and criminal activity within Melbourne Crown Casino. Lots of questions remain unanswered about how these changes will operate, who will administer them and who will fund the cost of compliance. The carded play change is something that they raised: the industry is not sure how it will operate – if it will be one card per venue or one card across multiple venues. They are not sure about the information that needs to be collected for casual players, and they are concerned that people are unlikely to go to the effort of recording all that information. Also, software upgrades would be needed for the machines – how is that going to work? From a community clubs perspective I guess they are looking at costs going up, and they are very concerned about the impacts on their bottom line. I know Bendigo Stadium have 15,000 people come through every week, and they return the funds that they receive to the local community. There are very strong basketball and netball programs there, and they do a lot of great work in the local community.

I also met with Bendigo RSL. They operate as a registered charity, and it was interesting to see the correspondence that they wrote. They talked about what they are involved in:

The RSLs are unique in that we operate as a registered charity. Our not-for-profit objective is clear, in that we support our veterans and members with facilities, wellbeing and welfare services and in turn, support our local community. We support many local clubs by helping them purchase new uniforms, sporting equipment and get to tournaments. Recently, the RSL network came together to help finance the Victorian Paralympic Football team fly to Perth to compete in the National Para Football championships.

They went on to say:

An example of what we do, apart from paying the bills of struggling veterans through rental assistance, house and car repairs, veterans' children school fees, emergency accommodation, food, fuel etc. is the emergency help we can provide.

In amongst the multiple veterans in despair within the Greater Bendigo region or feeding a whole community as a part of the Rochester floods Victoria experienced twelve months ago, we recently helped one veteran who had been living rough for three months out in the bush.

Whilst putting this veteran in a motel for three weeks so they could dry out, get a hot shower, eat some hot food, get some clothes, etc., we worked behind the scenes to get them some longer term accommodation. Paid for through the funds we earn as a licensed club.

It is concerning that they also state in their letter:

Without amendments to the proposed changes, the assistance we give our veterans will be put at risk in the future. If the Sub-Branch cannot afford to do this, these veterans fall through the cracks, continue to live on the streets and potentially take their own lives.

This change that we are discussing today raises the question of what measures the Victorian government will implement to support RSL and community clubs like the Bendigo Stadium with these



reform transitions, considering the unique circumstances of being registered charities and the impact on the delivery of essential veteran and family support. I am concerned that these services may become too dependent on gambling revenue to deliver their services. They are important community activities and, with the potential loss of revenue, ones that I hope the government will continue to support.

As I said, I support measures to minimise the harm of gambling, and we do not oppose this legislation, but we have put forward an amendment that has been circulated. It is important for this government to listen to the concerns raised by industry, from hotels, RSLs and community clubs, and consider the impact of these changes prior to their introduction next year.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (14:46): I also rise to make a contribution on the Gambling Legislation Amendment Bill 2023. In so doing I just want to acknowledge the contributions of other members, and government members particularly, in regard to this bill. We know how important it is to ensure that gambling reforms that are introduced assist people. We know there are some people who can gamble responsibly, but there are always a small number of people who will struggle with gambling, so some of these changes will go towards assisting or better managing some of the issues that present around gambling.

On 16 July the Victorian Labor government announced a significant package of gambling reforms. The reforms that are proposed will improve the protections afforded to Victorians that gamble, with a specific focus on helping those who experience harm. We are making sure that the legislation and the changes that are being proposed will assist people to minimise any harm that they may be experiencing.

We do know too that it is not only the individual who gambles that might experience harm. We know that where gambling does become a problem that it does not only affect the person who is participating, it can affect the entire household – families and children. It can have a very serious impact on somebody's life but also the lives of others around them. These reforms are sensible. They are proportionate and necessary to prevent and reduce harm from gambling in our community. As I said, parents, children and friends can all feel the pain of gambling harm, and our most vulnerable communities suffer because of it. I think every member in this chamber would be familiar with stories from their own communities about people who have experienced harm. I know even in my own electorate the North-Eastern Metropolitan Region there are RSL clubs and other community clubs that rely on income from poker machines, but there are equally many people who talk about the impacts of gambling from those local communities and the need to kind of balance it.

There are some people, as I said, who can manage how they gamble, but there are community campaigns out there and people are calling for reform and sensible reforms to make sure that people do not experience harm. As I said, many of us in this chamber will be familiar with community campaigns around the call for the introduction of measures to assist people who experience harm. It is estimated that around 330,000 Victorians experience harm because of gambling each year, and it costs Victoria an estimated \$7 billion every year. This leads to significant financial distress, relationship issues and mental health concerns. As I said, for some people, trying to manage their gambling addiction can be a lifelong effort. Not for everybody but for some it definitely is a very difficult issue to manage and an ongoing issue.

One of the measures that is being proposed is that the legislation will make sure that all poker machines outside the casino are shut off between the hours of 4 am and 10 am. Up until now venues have had to close their gambling rooms for 4 hours, but it has been up to them to choose when they would close for those 4 hours. This has led to venues staggering their opening hours to provide 24-hour access to gambling. This behaviour is widespread, and across one-third of the state, poker machines are available for 22 hours of the day or more. As you can see, you could simply go from one venue to another if that is what you wanted to do. The impact of this is felt deeply in our suburbs and reflected in Victoria's gambling losses, so it is important to make sure there is some consistency and provide that break in the nexus there to allow people to have that break. Just by way of example, in seats such

as St Albans, Footscray, Broadmeadows, Frankston, Oakleigh and Monbulk, venues stagger their opening hours to provide that 24-hour, seven-day-a-week access to poker machines in pubs and clubs. It is not much better in Dandenong, Melton, Thomastown, Northcote, Richmond and Bulleen, where patrons can gamble on a poker machine 23 hours of the day.

It is a problem, and we know from the data collected by the Victorian Gambling and Casino Control Commission that when venues stagger their opening hours, patrons move to nearby venues to continue gambling – as I said. They know where they can go to access those machines. Of course people who live locally are familiar with various venues in their own communities and will access them as they need to, but again, this is a harm reduction measure. It is a measure that we believe will provide real assistance for people who have a problem, and the mandatory shutdown between 4 and 10 will give people that opportunity to stop and reassess their gambling – so a break in that nexus. These breaks in play are important, and this is a measure that gambling researchers say will help vulnerable people who are experiencing gambling harm. So giving people that break, the opportunity to reassess and perhaps reset, an opportunity to go home – a break – we think will be an appropriate measure. We are doing this for the many courageous advocates who have generously shared their experiences of gambling harm and for our vulnerable communities who tell us gambling harm is all pervasive.

The bill also makes important changes to stop harmful betting products being offered to Victorians. The changes will give the Victorian gambling commission the power to enforce bans on betting on events that are not in the interests of Victorians even if these events occur outside of the state or country. I must say it is interesting to me that I have seen various things you can bet on in all manner of things. It is quite staggering the things that people bet on these days. It is not just horseraces or sporting competitions. It is all manner of things these days. People are very creative in terms of coming up with options for what you might bet on these days. We have seen bookmakers also offering bets on minors and amateur sports – it is like, come on! That is a bit too far. For an example, in January the ABC reported that bets were being offered on the under-19 women's T20 World Cup in South Africa. Almost half of the Australian players were aged under 18, including players as young as 15 years of age. This is clearly out of step with community expectations, and children really should not be a source of profit for gambling companies. Likewise, we also know that bets are being offered on low-tier amateur sport, which is not only harmful but also presents a serious integrity risk. Most of these wagering service providers are licensed outside of Victoria, with many of these events also occurring outside Victoria. I think that just demonstrates with the technology that is available how it has opened up to allow you to bet on different things under different apps or different mechanisms and on events that are not even occurring in our state. So these are important harm minimisation arrangements that will help address some of those tech developments, but also the legislative changes will ensure betting practices that are not in line with community expectations cannot be offered to Victorians. As I said, children really should not be a source of profit for gambling entities.

The bill makes several changes to improve the implementation of the recommendations of the Royal Commission into the Casino Operator and Licence as well. The royal commission found that Crown Melbourne was unsuitable to hold the Melbourne casino licence as it engaged in illegal, dishonest, unethical and exploitative conduct but that immediate cancellation of Crown's licence would cause considerable harm to the Victorian economy and innocent third parties as well. In response to that we put the casino under the management of the special manager and provided for the automatic cancellation of Crown Melbourne's licence unless the gambling authority is clearly satisfied Crown is suitable to continue operating the Melbourne casino after a two-year period of review. So it is important to make sure whilst those changes are implemented that that mechanism is reviewed to ensure that the appropriate changes and behaviour modifications have indeed occurred.

As we move towards the gambling regulator's decision on the suitability of the casino operator, we need to ensure that they have the tools at their disposal if the licence is not returned. The bill will ensure that the casino is able to keep operating if the current or a future casino licence is cancelled, suspended

or surrendered. Importantly, it includes provisions to allow a casino manager to deal with casino property and provide the manager with access to shared services across the casino complex.

Some other important changes that are being implemented via this bill include amendments that were passed last year that restricted the payment of cash winnings to a maximum of \$1000 in a 24-hour period. To improve the workings of these reforms the bill will amend the payment-of-winnings provisions and definitions so that they commence at the same time as carded play on all games at the casino, including table games. This will ensure the casino has time to implement the world-leading technology required to track cash across the whole gaming floor, including world-first technology for table games, which needs to be invented. These amendments align with the intent of the existing legislation. So again, with these amendments we hope to be able to catch up and keep pace with the increasing changes that technology is offering to people who gamble.

In terms of managing downtime, at the end of this year some of the strongest harm reduction and anti-money-laundering measures ever implemented will be in place at Crown Casino, including mandatory carded play and precommitment on their poker machines. This is not only a jurisdiction first but world-leading in its response to gambling harm and money laundering as well. Recent reforms introduced significant penalties for where the casino operator fails to implement the mandatory precommitment framework. This will leverage the statewide precommitment framework YourPlay, which is provided on every gaming machine in the state and is operated by a third-party licensee.

As we move towards the commencement, there is a need to update the existing framework to account for these changes in regard to how it applies to downtime. If technical outages occur in the system which are outside the casino operator's control – that is an important change to ensure that accommodates the downtime provisions – whilst this is expected to happen rarely, the bill will ensure that the casino is not unfairly impacted by the occurrence of that period of downtime that is outside their control.

With about 3 minutes on the clock, in conclusion, the Allan Labor government is introducing these major changes to protect Victorians from gambling harm. We will be making it compulsory for pubs and clubs to close their gaming machine areas between the hours of 4 am and 10 am. As I said earlier, that is to allow an important break for people who are gambling for long periods of time. We know that people have been going perhaps from one venue to another to enable them to continue to gamble rather than having that break, and this is what these reforms are aimed at. All gaming machines in the state will require mandatory carded play and precommitment, meaning that if a person wishes to play a machine, they must set the amount they are willing to lose first. So again, that is that precommitment kind of technology that means once you have set that limit, then that is your limit.

These measures, combined with a significant slowing of new machines by more than 40 per cent to 3 seconds per game and a 900 per cent reduction in how much money can be put into a machine at any one time to \$100, represent the most comprehensive package of gambling reforms in the country. It builds on reforms to address the egregious behaviour seen in the casino, with 33 of the recommendations of the royal commission either fully implemented or legislated and awaiting commencement. We owe these changes to our community, and we know the community overwhelmingly supports these measures. As I said, these are important reforms in order to protect our community from gambling harm, and I commend this bill to the house.

**Rachel PAYNE** (South-Eastern Metropolitan) (15:01): I rise to make a contribution on the Gambling Legislation Amendment Bill 2023 on behalf of Legalise Cannabis Victoria. This bill forms part of a wider suite of vital gambling reforms. Among a number of changes, this bill enables better regulation of casinos where their licence is cancelled, suspended or surrendered, and it delivers on the government's commitment to mandatory closure periods for gambling machine areas from 4 am to 10 am. These reforms come at a time when data from the Alliance for Gambling Reform, published in October, shows poker machine losses in pubs and clubs have surged nationally and are at an all-time high of \$14.54 billion.

We already know that Australians lose more to gambling machines than any other country in the world, causing immense loss. These losses are inextricably linked with violence, breakdown and mental and physical health issues. The need for intersectional harm minimisation is clear. Problem gambling poses a significant cost to the community. The gambler suffers, their family and friends suffer, as do so many other people and institutions. Gambling ruins lives. This was made clear in the 2021 Royal Commission into the Casino Operator and Licence. The royal commission quickly uncovered widespread illegal, dishonest, unethical and exploitative behaviour by Crown Melbourne.

Legalise Cannabis Victoria is concerned about the government's decision to exclude Crown Casino from the mandatory closure periods. The advice we received from the government suggested that there were several reasons for this decision, and they included existing break-in-play rules for casinos, the economic role of Crown Casino and the unique regulation the casino is subject to off the back of the Royal Commission into the Casino Operator and Licence.

I have been someone who has worked in casinos as well as gaming rooms and I have seen the devastation that gambling addiction can cause, particularly for people who are from culturally and linguistically diverse backgrounds. Gambling often provides a sanctuary, a place where people can connect, even if that is connecting with a machine. I have seen an instance where a young man – and I can tell you he was a young man because I had to check his ID when he came into the establishment – came in and gambled his pay cheque away. It was over \$1000. He then decided that he was so desperate to put more money back into the machine that he crawled underneath the barrage where we would keep the money and he stole back about \$3000. Unfortunately he went to prison for that, and I often think about him because I was the one to hand the police the schooner glass that had his fingerprints on it to make sure that he was charged with that offence. All I can remember is how desperate he was that day and how dangerous it is while we continue to allow such a harmful, socially acceptable practice as gambling.

I am compelled to turn back to the royal commission, namely the findings of the way that Crown Melbourne dealt with many vulnerable people who have a gambling problem. I find it quite damning stuff. They failed their obligations, and multiple promotions targeted vulnerable people or financially constrained people such as the elderly and people from culturally and linguistically diverse communities. Stakeholders evidenced how these exploitative promotions led to some participants not being able to afford essential medication. As noted, the government has provided reasons for their decision not to include Crown Casino in mandatory closure periods, but we must not and cannot accept that without acknowledging that the economic contribution of Crown Casino is too often off the backs of the most vulnerable. Even in light of the reforms being undertaken, Crown is still a gambling venue of massive proportions and contributes in spades to the ongoing harms of gambling in our society.

In engaging with stakeholders on this bill we were advised that a number advocated for poker machine rooms to be closed from midnight to 10 am. This push was backed by evidence showing that harm increases from midnight to 2 am and then significantly increases after 2 am. Consequently we will support the Greens amendments to extend the mandatory closure period from 12 am to 10 am, recognising the potential to minimise harm. We would also encourage this government to perhaps consider a middle ground of 2 am to 10 am, noting the significant increase in harm experienced between the hours of 2 am and 4 am.

Turning to the amendments of the opposition, they desire to create an exclusion zone from the mandatory closure period for any approved venue within a 3-kilometre radius of the casino. We do not support these amendments and believe they do little to minimise harm. Instead they reduce the benefits of the mandatory closure period by excluding some of the busiest venues in our state.

We again want to acknowledge that this bill is part of a wider package of gambling reforms, and we look forward to monitoring the government's progress in this space. You can be assured that we will continue to push to strengthen the government's work to address the evils of the gambling industry.

**Ryan BATCHELOR** (Southern Metropolitan) (15:06): I am very pleased to rise and lend my voice to supporting the Gambling Legislation Amendment Bill 2023 before the chamber today. Australia's strongest gambling reforms are happening right here in Victoria. We know that gambling does not just impact the individual who is taking part in it. It does not just affect those who are playing electronic gaming machines. It has far-reaching effects on their parents, on their children, on their friends and on the wider community, and many of the most vulnerable in our community suffer because of it. Around 330,000 Victorians experience harm because of gambling each year, and it costs the state around \$7 billion. In the City of Glen Eira in my electorate of Southern Metropolitan there are 652 poker machines, and members of our local community lost more than \$70 million on these machines in the last financial year. This legislation is needed because our current system of regulation is failing some of the most vulnerable community members. The bill before us today seeks to address some of these gaps, and that is why it is worthy of our wholehearted support.

To address these issues of problem gaming in our community the legislation introduces five main changes. There are mandatory closures to stop venues staggering their opening hours, which may allow people to gamble around the clock. It extends offences relating to betting on contingency activities outside of Victoria, enabling the minister to target harmful betting products, including betting offered on games featuring minors. It strengthens the statutory manager regime to ensure continuity of operations where a casino licence is surrendered or cancelled. It amends the payment of winnings provisions in the Casino Control Act 1991 to enable them to commence following the introduction of carded play. It provides for casino operators to be not liable for periods of downtime in the precommitment system if it is beyond their control. These changes are very important. They are thought through, well considered and based on evidence.

In Victoria, in relation to mandatory closures, gambling venues with electronic gaming machines are currently required to shut for 4 continuous hours in a 24-hour period of their choosing. This legislation will introduce a mandatory closure period from 4 am to 10 am to stop venues staggering their opening hours so that people can gamble around the clock – that is, the same 6 hours of closure every day. We know that some venue operators are staggering operating hours between venues in certain areas to ensure that one venue is always open – that there is always somewhere for problem gamblers to go in some communities. The current requirement to close allows venues to nominate these hours, and the change this legislation will implement will ensure that venues cannot operate between 4 and 10 am and will give patrons a break.

Research shows us that around one-third of local government areas currently have access to gaming between 22 and 24 hours a day. Our analysis also shows that when one venue closes, some nearby venues that have got staggered opening hours are more likely to see an increase in their revenue, so we see patterns of people moving from venue to venue, showing that the current regime of shutdown by venue choice is not working. Having a break from gambling is an important harm minimisation measure, and it is important for that to be introduced by this legislation. Of course the closure periods introduced in this legislation will only affect the gaming elements of these premises, so if there are other aspects of an entertainment venue, such as a bar or a bistro or a function centre or accommodation facilities, they will not be affected. It is only in effect the gaming floors.

The legislation also introduces a crackdown on harmful betting products being offered to Victorians, giving the Victorian Gambling and Casino Control Commission the power to enforce bans on betting events that it is not in the interests of Victorians to be betting on, and that includes things like minors playing sport and some amateur sport. Unfortunately we see bookmakers taking advantage of young people playing sport by offering bets on those sporting events, and we think that is not something that is in the public interest. No-one wants to see their kids or other people's kids, who are playing sport because they love it, under age, be subject to and drawn into the gambling and wagering industry, because it normalises gambling behaviour in children and young people and it makes these sports vulnerable to risk from unscrupulous people with unscrupulous intent, and that sort of activity is certainly out of step with community expectations. Our children must not be a source of profit for

gambling companies, and we need to protect amateur sports from integrity risks that may arise from being drawn into the gambling web. Most of the wagering services offering these options are licensed outside of Victoria. Some of the events will occur in this state, and the change gives the minister the power to target betting practices that are not in line with our community expectations here in Victoria.

The legislation also introduces a range of provisions with respect to the payment of winnings, arising out of the findings of the Royal Commission into the Casino Operator and Licence recently held here in Melbourne. That royal commission found some pretty significant evidence of systemic money laundering and other financial crime at the Melbourne casino, which we obviously find unacceptable. We have already introduced legislation limiting payment of winnings in cash to \$1000 per person per day, and this bill makes amendments to allow the casino operator time to develop the technology required to identify patrons and track winnings across the casino, which is an important mechanism to ensure that these are effective controls. What it will do is ensure that the legislation that was put in place previously to prevent that sort of practice is able to take effect.

We do know clearly that the revelations from the royal commission were shocking and, understandably, inconsistent with the community's expectations of the casino operator. The royal commission found that the casino operator engaged in illegal, dishonest, unethical and exploitative conduct but that the immediate cancellation of their licence would cause harm to the Victorian economy and to innocent third parties. In response the government put the casino under the management of a special manager, and all 33 recommendations of the commission have now either been fully implemented or are awaiting commencement. This includes recommendations to strengthen anti-money-laundering measures, implement mandatory precommitment on gaming machines at the casino to minimise gambling harm and reform existing ownership and governance arrangements at the casino operator. We have also gone beyond the recommendations of the casino operator. That includes laws that will automatically cancel Crown's licence unless the regulator is satisfied they are suitable to continue operating the Melbourne casino, so the onus is now on Crown to prove that they should hold the licence. The bill sets up that legislative framework rather than making any commentary on administrative decisions.

The bill will ensure that the casino is able to stay operational should at any point in the future the current or a future licence face cancellation, suspension or surrender, protecting the Victorian economy from the impacts of this. That includes some important provisions to allow the casino manager to deal with casino property and access to shared services across the complex.

The Victorian Labor government is introducing all of these changes to protect Victorians from gambling harm. They include a significant slowing of new machines by more than 40 per cent to 3 seconds per game and a 90 per cent reduction in how much money can be put in machines at one time, from \$1000 to \$100. This represents the most comprehensive package of gambling reforms in the nation. We hope and we expect that these reforms are going to reduce losses for people right across Victoria. The approach this legislation introduces is evidence-based, it is comprehensive and it is about caring for people who are suffering from gambling-related harms, because everyone loses when it comes to gambling harm. It is not just about money. People also lose their relationships, their jobs and their health, and their wellbeing suffers. Minimising the harm that Victorians experience from gambling is an important part of this government's policy agenda, and this legislation is an important part of the action that we are taking to make sure that those protections are in place.

I just want to spend a few moments, if I can, reflecting on one of the amendments that has been proposed by Mr Mulholland. Mr Mulholland is proposing an amendment to exempt more venues from the tough new rules that are being proposed by this legislation. The sorts of protections that we as a government are seeking to put in place to protect Victorians from poker machine harm – the opposition is seeking to punch a big hole right in the middle of them. This hole that they are seeking to punch in our protections is particularly relevant to the residents of the Southern Metropolitan Region because of the manner in which the amendment seeks to expand the zone in which the poker machine protections would be put in place. It seeks to expand that to a 3-kilometre radius of the casino.

Obviously, Melbourne's casino is located on the south bank of the Yarra River in the Southern Metropolitan Region, and dragging a ring of exemptions beyond the confines of the casino complex and extending it 3 kilometres would see a hole in the protections that Labor is putting in place extending from Southbank to the bay and parts of South Melbourne, Port Melbourne, Albert Park and the venues that are in those parts of regular communities – normal suburbs. This is not the sort of rationale that was advocated by the opposition in moving their amendment, saying these are inner-city, CBD tourist destinations. These are suburban streets with schools and families that the opposition's amendment is seeking to make more vulnerable to poker machine harm and poker machine addiction.

It is not something that we think we should support, because of the sorts of protections that this legislation is bringing into place by making venues not able to open between the hours of 4 am and 10 am, ensuring you cannot just hop and skip to one or another and ensuring a reduction in the amount of load-up, the mandatory precommitment systems and the range of other protections this legislation seeks to put in place to stop poker machine harm. I do not think it is fair that the Liberal Party thinks that they should not apply to the communities in Port Melbourne, to the communities in South Melbourne and to the communities in Albert Park as well as those that exist north of the river. Obviously I care about all Victorians, but particularly the ones in the Southern Metropolitan Region, who are concerned about poker machine harm and some of the dangers arising from electronic gaming machines, which the Liberal Party proposes to keep exposed in our community. I think it is a misguided and short-sighted amendment that is only going to cause more harm from poker machines in our communities. I do not think it is something that we should be supporting, and I hope all in the chamber oppose the amendment proposed and circulated by Mr Mulholland but that they do support the legislation that is before us here today, because we do have an obligation and a responsibility to make sure that harm from gambling and harm from poker machines in particular is not pervasive across the community.

These are important reforms. I had some experience in a past life working on trying to reduce harm from poker machines, and we did not get as far as this that is before us today. It is exceptionally important to see. It will have a world of benefit for many in the community. We will always need to do more and there will always need to be a range of additional support services put in place – a range of other support activities – but taking action to reduce harm from poker machines is an incredibly important thing that this Parliament could be doing. This legislation will do it, and we need to support it in full and not with the amendment proposed by the opposition, which would undermine the protections in this legislation and seek to punch a great big hole in them that will affect many residents in the Southern Metropolitan Region.

**David ETTERS HANK** (Western Metropolitan) (15:22): I rise to make a contribution on the Gambling Legislation Amendment Bill 2023. This is the first tranche of the government's overhaul of gambling regulation in Victoria. It is good to see the government tightening some of the regulations around casinos and implementing some of the recommendations of the Royal Commission into the Casino Operator and Licence. We are pleased to see the government honour its commitment around mandatory closing times. This is something that I personally have raised as an issue in this house before. There has been a loophole that has allowed venues within close proximity of each other to stagger their opening hours and their closing hours so that people were never too far away from an open venue and the lure of the pokies. So it is good to see the bill closing that loophole. However, while the mandatory 4 am until 10 am closure across all gaming venues is a good start, it does not go far enough. We know that there is a higher risk of gambling harm occurring in the hours after midnight, particularly after 2 am, and by 4 am all too often the damage is well and truly done. As my colleague Ms Payne mentioned, we will be supporting the Greens amendment to increase the mandatory closure period from midnight until 10 am.

My colleague also expressed our concern over the government's decision to exempt Crown Casino from mandatory closure periods. It is disappointing that Crown is not subject to this reform given its

historical and continuing contribution to the ongoing harms that gambling inflicts on our society. The opposition amendments seek to expand this exemption to other venues within 3 kilometres of Crown. This will do little to minimise harm, as it will exclude some of the busiest venues from the mandatory closure period. As such we cannot support the amendments, and I endorse Mr Batchelor's comments in this regard.

On average, Victorians spend \$1300 per capita on betting each year, making it far and away the costliest addiction in the state. I have spoken before about Brimbank in my electorate recording the highest poker machine losses of any local government area in Victoria, over \$1.29 billion in the last decade. It is a costly addiction for the state too. The state will rake in a projected \$2.5 billion by the end of this financial year, but the knock-on financial impacts – the emotional and psychological costs, the impacts on relationships, the loss of productivity and the social cost – are estimated at \$7 billion, dwarfing the income from gambling.

The government is planning to introduce further legislation aimed at better regulating the industry and addressing the harms caused by gambling. We hope that the next tranche of reform will be more ambitious. It would not hurt to look at some simple measures introduced in other jurisdictions that can help reduce the sorts of catastrophic losses that problem gamblers experience. The stakeholders that we have consulted highlighted the need for mandatory and binding precommitment schemes. The Tasmanian model of a carded precommitment system allows people to commit to spend up to \$100 a week or \$500 a month or \$5000 a year. This would be a very effective tool as long as it was not linked to loyalty schemes. The gambling industry is pushing hard for precommitment and loyalty schemes to be linked, keen to get their hands on people who sign up to the precommitment system, so that they can offer them inducements to continue playing.

There are some really bad features on poker machines which should be banned. Stakeholders would like to see a ban on what are called losses disguised as wins. That is when you gamble \$1 and then win 20 cents, and the machine reacts as if you have won but you have actually lost 80 cents – and of course they are playing for the dopamine effect. These are an addictive feature of poker machines. Removing the winning reaction on the machine when there is a loss disguised as a win will lead to better outcomes for addicted gamblers. Tasmania and Queensland have both outlawed losses disguised as wins and are seeing some good results, and we would urge the government to consider this as a future change. Lowering the maximum bet to \$1 would have a significant impact on reducing losses. At the moment you can gamble \$5 per spin, and you can spin every 3 seconds. There is much to be done in this space, and hopefully the next stage of reforms will see more action to reduce gambling-related harm.

At some stage we do have to address the elephant in the room, and this is the state's reliance on gambling revenue. It is an obvious conflict. How serious can a government be about protecting vulnerable Victorians from the harms caused by gambling when it relies so heavily on the revenue generated from gambling, money that we know comes at an enormous cost to some of our most vulnerable communities? In conclusion, we support the bill. We commend the government for this initiative, and we look forward to seeing further reforms in the near future.

**Sheena WATT** (Northern Metropolitan) (15:27): I rise today to speak on one of the most important suites of changes that the Allan Labor government is making to Victoria's gambling legislation, changes that will see practical and useful steps in harm reduction enacted in this state – because gambling does not just hurt individuals, it hurts families and it hurts communities, and this government wants to put a stop to the negative consequences that come with it all too often. That is why this government is making changes that are leading the way in Australia for progressive gambling reforms. By encouraging responsible gambling practices and providing adequate support for individuals facing gambling-related issues, we foster a culture of empathy and of course understanding. It is also really essential that we safeguard the vulnerable members of our community.



For many individuals gambling starts as a harmless pastime but can very quickly escalate into a dangerous and destructive habit. By implementing reforms such as the \$100 maximum input into the machines and the mandatory closing times, we are ensuring that the most at-risk members of our community have the adequate safety nets to minimise harm. All gaming machines in the state will require mandatory carded play and precommitment, meaning that if a patron wishes to play a machine, they must firstly set the amount they are willing to lose. Doing this reduces the harm that Victorian gamblers can get from using these machines and ensures that when people are gambling they do not suffer unnecessary financial loss.

These measures combined with the significant slowing of new machines by more than 40 per cent to 3 seconds per game and a 900 per cent reduction in how much money can be put into these machines at any one time, to \$100, represents the most comprehensive package of gambling reforms in the country. The reduction of the amount that can be entered into the machines along with the mandatory carded play feature will ensure that money is not wasted, with these addictive machines at such high rates and levels now. It protects individuals, it protects families, it protects communities and it protects Victorians. It is estimated that around 330,000 Victorians experience harm because of gambling each year, and it costs Victorians an estimated \$7 billion each year. I said it so simply, but it is such an enormous amount. It is not an insignificant amount. It represents more than just dollars and cents. It is about 1.5 billion coffees, it is 8 million round trips to beautiful Darwin or it is over 125,000 brand new Toyota HiLuxes. I ask folks gambling: imagine what else you could be buying. These losses cannot for a second go understated. Every day Victorians are throwing their money away. We need to put appropriate protections in place to ensure the damage done from this toxic industry can be controlled. Across one-third of the state, pokie machines are available 22 hours a day or more – my goodness, that is a third of our state. The impact of this is felt deeply in our suburbs, and it is reflected in the gambling loss numbers.

The detrimental impact of gambling on communities cannot be overstated. While at the time it might seem like harmless entertainment for some folks – and you know what, it really, really is – for some, however, it has adverse effects that often reach beyond the individual. The social fabric of our communities can be torn apart by the devastating consequences of problem gambling. Families can be shattered as financial resources are drained, leading to increased stress, conflicts and breakdowns in marriage, including something fundamental to the family, and that is trust. The harmful effects of gambling ripple through our communities and leave a trail of broken lives and strained relationships in their wake. It is a must-do that we address the issue comprehensively, implementing effective regulations so our most at-risk communities can be shielded from the devastating consequences of this problem gambling.

I recall earlier this year, on 16 February to be exact, the Victorian Labor government announced that Australia's most significant package of gambling reforms was coming and that they would position Victoria to have the best gambling reforms in the country. Upon reading just how very comprehensive they are, that is so very, very true. You see, this government knows how to get things done. We know how to produce policy that will have a positive impact on the wider community, and that is why the significant consultation on this bill has included the Victorian Gambling and Casino Control Commission (VGCCC), the former commissioner of the Royal Commission into the Casino Operator and Licence Ray Finkelstein AO KC, the casino operator, the Supreme Court and the solicitor-general. These reforms will make a change and do well in our community, based on the expertise I have just mentioned from those very eminent organisations and people and also based on the views of gambling harm advocates, whose vocal work on this has been exceptional and based on this government's track record of performing.

I just need to say the Alliance for Gambling Reform need to be acknowledged here. They are an organisation that I am especially proud to support in the various ways that I have, and I will take a moment to acknowledge the lived experience advocates, who speak with such pride about what they see as a future where we have many more protections in place. I am thinking about Christine, I am

thinking about Ethan and I am thinking about my friend Rebecca, all really powerful advocates who have lived experience themselves or families with lived experience of gambling harm. Today I just take a moment to acknowledge them and their incredible work. You see, these reforms will absolutely expand the protections afforded to Victorians that gamble, specifically focused on helping those who experience harm.

This legislation will make sure that all pokie machines outside of the casino are shut off from 4 to 10 am. It is true – no good things are happening in a pokie den at 4 am. There is just no way around it. Up until now many of these venues had to close their gaming room for 4 hours, but it has been up to them to choose when those hours are. The staggered nature of these openings – I mean, it is kind of extraordinary, right? This has led to venues staggering their opening hours to provide 24-hour access in a small geographic area, a really sickening practice that sees the cycle of harm continue. I cannot help but think about where this is happening. We have seen this industry-wide malpractice in the gambling industry for far, far too long. In the northern suburbs in areas like Broadmeadows you can access pokie machines 24 hours a day. In other areas close to my heart in the Northern Metropolitan Region, like Thomastown, Northcote and Richmond, this goes down to only 23 hours a day. Honestly this is an unacceptable reality for the people of the northern suburbs and for other areas right across Victoria. There is data collected by the Victorian Gambling and Casino Control Commission, and from that we know that when venues stagger their opening hours patrons move to nearby venues to continue gambling. A mandatory shutdown period from 4 to 10 am will give people the opportunity to stop, assess their actions and decide whether continuing to gamble is the right thing to do.

Taking breaks in play is a really important measure that gambling researchers say will help vulnerable people who are experiencing gambling harm. It breaks the dangerous cycle of consistent and uninterrupted gambling that many patrons undertake and gives the body and the mind a chance for recuperation. I cannot imagine what it actually does to your body to sit there and watch these screens for hours and hours and hours on end, but also they do make those chairs especially comfortable so that folks can sit there for hours and hours and hours on end.

Limiting gambling venues during the early morning hours can help prevent excessive gambling and addiction. These hours are often associated with vulnerable periods when individuals may be more prone to impulsive or risky behaviour, and by denying access to gambling activities during this time the likelihood of people succumbing to prolonged gambling sessions is significantly reduced. That can lead to only good things. This restriction can also help to promote some really basic things like – I do not know – healthier sleeping patterns and overall wellbeing for gamblers. Sleep deprivation is a common consequence of late-night gambling, and we know what it can do to you to have some very, very late nights, including on your physical and mental health.

We are doing this because courageous activists who have generously shared their experience of gambling harm in our most vulnerable communities tell us that gambling harm is all pervasive. This bill is a result of extensive consultation with amazing gambling safety advocates whose work has led the country in making positive changes like this, and again I say thank you, Christine, thank you, Ethan, and thank you, Rebecca. They are just some off the top of my head, but I know that there are so many more. I thank each and every one of the gambling safety advocates for their work. You change lives when you tell your story, and I am just so very grateful to know you.

Gambling reform can bring about several positive outcomes for individuals, families and communities. By implementing responsible gambling practices and regulations we can actively mitigate the negative impact of excessive gambling by promoting a safer environment for those who choose to participate. You know what? That is what we are about – ensuring the safety of Victorians and minimising the impact that industries like gambling can have on people. This suite of gambling reforms ensures the protection of vulnerable individuals and disallows any kind of misconduct being undertaken. Regulations can ensure that adequate support systems are in place to help those struggling with gambling addiction. There are treatment programs, helplines and counselling services that can be funded through gambling revenue, providing essential resources for individuals and families in need.

In addition to the provisions this bill makes to harm reduction strategies, we are also making several changes to improve the implementation of the recommendations of the Royal Commission into the Casino Operator and Licence. The royal commission found Crown Casino – and it is probably worth touching on Crown Casino – unsuitable to hold the Melbourne casino licence, as it was engaged in illegal, dishonest, unethical and exploitative conduct, and that the immediate cancellation, however, of Crown’s licence would cause considerable harm to the Victorian economy and of course innocent third parties. In response to that we put the casino under the management of a special manager and provided for the automatic cancellation of Crown Melbourne’s licence unless the VGCCC is clearly satisfied Crown is suitable to continue operating the Melbourne casino after a two-year period of review. As we move towards the gambling regulator’s decision on the suitability of the casino operator, we need to ensure they have the tools at their disposal if the licence is not returned. These measures are to ensure that the state has a transparent and effective way of managing misconduct and malpractice in the industry in any form that it takes.

Responsible gambling practices can foster a safer and more transparent industry by enforcing regulations on fair play, ensuring the integrity of games and preventing criminal activities such as money laundering. Gambling reform can create a trustworthy environment for both operators and players. Amendments passed last year restricted the amount of cash winnings to a maximum of \$1000 in a 24-hour period. To improve the working of these reforms the bill will amend the payment of winnings provisions and definitions so that they commence at the same time as carded play on all games at the casino, including table games – there you go. This will ensure the casino has time to implement the world-leading technology required to track cash across the whole of the gaming floor, including world-first technology for table games, which really just needed to be invented. These amendments align with the intent of the existing legislation and will shore up the legislation that already leads the industry. In addition, I wanted to say that we are building on reforms to address the egregious behaviour seen in the casino.

With 33 out of the 33 recommendations of the royal commission either fully implemented or legislated and awaiting commencement, it shows that the Allan Labor government’s commitment to harm minimisation is for all Victorians. Gambling can have significant detrimental effects on families and communities. The lure of easy money and the excitement of gambling can lead individuals to develop addictive behaviour, often resulting in unimaginable financial ruin, and the strain on families and the tension that it causes leads to breakdowns in trust, relationships and emotional wellbeing. The Allan Labor government has a commitment to Victorians, and with this legislation before us today we are doing our most to ensure the safety, security and continued wellbeing of all Victorians. I commend this to the chamber.

**Michael GALEA** (South-Eastern Metropolitan) (15:42): It is with great pleasure that I rise today to speak on what is a very important bill, the Gambling Legislation Amendment Bill 2023. It is a very important bill because gambling affects so many Victorians in so many different ways. This is one part of the ongoing reforms to gambling that we are seeing under the Allan Labor government and saw under the previous Andrews Labor government. It is one more really critical step forward, and I also wish to take this opportunity to acknowledge the very hard work of the minister Melissa Horne in bringing this bill through the other place into this place today. I know it is an issue which she has taken a huge amount of personal interest in, and it is really good to see these reforms coming through today to be debated in the chamber.

Like you, Acting President McArthur, I am a member of the Public Accounts and Estimates Committee (PAEC), and as you are no doubt aware, as part of our regular duties we do some inquiries into Victorian Auditor-General’s Office reports, and we are currently doing one. It is not the most exciting name, but bear with me. We are doing an inquiry into the Victorian Auditor-General’s reports number 99 *Follow up of Regulating Gambling and Liquor*, 2019, and number 213 *Reducing the Harm Caused by Gambling*, 2021. So these are two reports that we are directly responding to and evaluating as well as one further report. As the title suggests, one of those VAGO reports is indeed a follow-up

report. It is a really good opportunity for us, and as a committee we have been looking extensively into the outcomes of those reports and the progress that has been made since but also into the issue itself. I have to say I am not sure whether it is six or seven but there are a number of inquiries that I am either currently on or have recently been on in my relatively short time in this place so far. Without speaking against any of the other inquiries or their importance at all, I have to say this has been a profoundly interesting and engaging inquiry. So it has been a privilege to take part in that and to hear from Victorians from all corners, whether it is down in western Victoria in Geelong, where we met with a number of providers, whether it is with a youth round table, which we had here in Parliament, or whether it is the many people who took the time to come and speak to us in our hearings – we very much appreciate it.

It is estimated that around 330,000 Victorians experience harm because of gambling each year. It is also estimated to cost Victoria an estimated \$7 billion every year. Whilst our committee's inquiry is still underway I will not speak to what we intend to publish certainly, but I will comment on some of the evidence we have heard at these public hearings and published evidence that has been provided to the committee as well. This is a really substantial set of reforms. It is really good as well because these hearings that we had were not too long after the reforms were actually announced, so it was great to have a litmus test of what has been proposed and great to see them overall being very strongly endorsed by a range of experts and community leaders. I might come to a few comments later if I have time.

We know that on average Victorians spend \$1300 per capita on betting annually, which makes it the costliest addiction in the state, even compared to alcohol and tobacco. We also know that the Victorian Responsible Gambling Foundation, the VRGF, has recently labelled those aged 18 to 24 as one of the most at-risk groups for gambling harm, with up to 80 per cent having taken part in the last 12 months. I did just briefly mention the youth round table we had here in Parliament, which was a really wonderful way of getting a diversity of opinions from our young Victorians into the room with a diversity of backgrounds as well. I know that the other PAEC members and I really enjoyed conducting our roundtable sessions and hearing directly from them, whether it was about poker machines, loot boxes or other forms of online gambling as well, and it was really, really rewarding to hear back from them and to see what their priorities are, which will no doubt help shape our report. I would like to, as part of that published evidence, quote from one of the participants. His name is Fred, and he shared his personal experience of how gambling impacted on his life. He said:

When it comes to the role of gambling in our lives, I mean, I can speak from personal experience that I lost a lot of money and a lot of time gambling. For me, I think that the time is worse than the money. I lost \$225,000 and two years of my life. I look at it as an expensive lesson, which is something I can take from that money, but there is nothing I will get back from that time.

For our young people – and for all people – this is a really important step. We also heard from a number of community associations. In fact Minister Stitt in her ministers statement early today referenced the wonderful Australian Vietnamese Women's Association, AVWA, and Mr Trung Luu, who I see as well over there, and I have been at a few AVWA events together and I know he is also a supporter of them. They gave us a very compelling presentation on the impact that gambling has had on their community, especially with the prevalence with various things and obviously a casino opening in the 1990s. There was quite a startling quote from Anh Bui, their counselling team leader over at AVWA, who told us that:

Since the year 2000 the number of incarcerated Vietnamese women in Victoria has increased by 481 per cent.

That is not a typo – 481 per cent.

One of the pathways into drug trade is to resolve debts incurred through casino gambling, as Vietnamese women attend casinos to escape family stress, relationship breakdown and cultural gaps between them and their children.

That is just a devastating, devastating statistic that really should concern us all, and it certainly had a profound impact on me as well, hearing that from AVWA in their testimony.

As part of this as well it is interesting to look at what reform to poker machines actually means. Separate to this inquiry, I have had a look at the total losses incurred within my region, the South-Eastern Metropolitan Region, in the last financial year, and whilst we cannot break it down exactly by electorate boundaries, of the seven local government areas that either wholly or partially make up my region, \$686 million was lost just in my one-eighth of the state last financial year. To break it down locally: in Knox \$154,000 is spent on pokies every day, \$56 million per year. There are 11 venues with pokies. There are 767 poker machines. It has the 15th-highest pokies expenditure in Victoria. In the City of Casey \$314,000 is spent on pokies every day and almost \$115 million spent on pokies each year, with 13 venues with pokies and 912 poker machines. It has the second-highest poker machine expenditure in Victoria. In the city of Dandenong: \$280,000 spent on pokies every day, \$102 million spent on pokies per year, 14 venues with 924 poker machines and the fifth-highest pokies expenditure in Victoria. This is an issue which profoundly affects the region that I am proud to look after.

In terms of the costs of gambling, many colleagues, I know, from both sides of this chamber but many colleagues from the other place as well have commented to me either in their contributions or in private conversations about what the impact is. Whether it is with family and relationship problems, whether it is with emotional and psychological issues, including distress, depression, suicide or violence, or whether it is financial losses – for example, excessive spending on gambling, bankruptcy et cetera – and other costs as well, we know that there is a huge, huge cost that our community faces from this issue. It is for those reasons I am so pleased that we are here today to talk about a bill that will make a real, practical and meaningful difference as part of our journey to reform.

On that note for reform, I would not have naturally expected that one of the people I could quote in this speech in terms of talking about the government's response to this issue would necessarily be the Reverend Tim Costello, but he was another really absorbing, fascinating witness that we had as part of the Alliance for Gambling Reform, who presented to us in those PAEC hearings. It was particularly interesting – along with Carol Bennett as well, who I must also give a mention to – to see his comments on the VGCCC, the Victorian Gambling and Casino Control Commission, which is a relatively new body established in recent years under this Andrews–Allan Labor government in replacement of the prior VCGLR, the Victorian Commission for Gambling and Liquor Regulation, which was the existing body which covered both gambling and liquor. We now have a situation with the new VGCCC which solely focuses on gambling, whether that be in the casino or in suburban poker machine venues or gambling more broadly, and we also have the VLC/LCV, Victorian Liquor Commission and Liquor Control Victoria, which cover the liquor aspect of regulation. It was particularly interesting to hear Reverend Costello endorsing in very strong terms the work of the new VGCCC. I think this sentence alone probably says it, where he said:

I think we actually now have a regulator.

And he said:

... they have stepped up.

It is terrific to see that reform already having an impact. These reforms too will be a transformational next step.

We also heard that one of the most important parts of this new legislation that we have before us today is that of venue opening hours. Whatever limits previously operated for a venue, those might have been different venue to venue. So whilst they could not all be open 24 hours a day, it had the effective outcome of people going basically venue hopping throughout the night to ensure that they could get to gamble 24/7 if that is what they wanted to do, and often that was part of very destructive cycles, especially in a number of families. This legislation will put a mandated statewide ban on poker machines outside the casino from 4 am to 10 am. It is really important that that comes in to break the cycle. We have seen evidence that at those extremely early hours of the morning, such as at 4 am, gambling harm can often be at its worst. Interestingly as well on the 10 am finish time of that closure period, some witnesses put forward to us that that is a really important measure so that it does not

become a necessary path that those people who are affected by gambling harm automatically go to the pokies immediately after school drop-off. That barrier between 9 and 10 is also very important to helping break that cycle. We know that there are locations, including in my region as well, where you can actually currently gamble 24 hours a day at suburban poker machine venues. In Frankston you can gamble 24/7 by jumping between venues, and in Greater Dandenong you can do almost as much – 23 hours a day you can currently gamble. This alone is a really critical major reform that is going to make a huge difference to gambling addiction and gambling harm.

I would also like to touch on another thing in relation to gambling harm that a number of witnesses brought up, including those from the Australian Health Practitioner Regulation Authority as well as Reverend Costello, and that is in relation to the concept of responsible gambling. We have seen slightly more robust anti-gambling messages on the ends of the endless stream of TV commercials that we currently see for online gambling – and that is another whole matter, which, though a Commonwealth responsibility, it will be very good to see some action on as well soon – which replaced as I am sure members will recall not too long ago the very quickly uttered words at the end of a gambling advertisement, ‘Gamble responsibly’. That is in itself a harmful message. That is effectively saying that, if you have an issue with gambling, if all the many and various tricks and whatever else has been done, whether it is the poker machines or online gambling, to induce you to become addicted to the product – which is what they are designed to do – if you cannot do that responsibly then it is your fault. ‘It’s not us, it’s you.’ That is where the real issue lies. This is a public health issue. It needs to be taken from the point of saying that responsible gambling should be on the operators just as much as, if not more than, on the individual themselves, because when those operators are designing their technologies, their apps, their EGMs to addict and compel people to use their products, that is not being responsible.

It has been really interesting to hear that commentary and to already see the shifting language around it as well, because language is important. As one witness put it to us, it is the equivalent of our American friends saying, ‘Well, guns don’t kill people; people kill people.’ If you do not have the guns, you do not kill the people. If you do not have addictive, difficult-to-escape-from gambling machines, you have less of a gambling problem, and this is a really instrumental step forward towards that.

There are numerous other reforms, and I could talk endlessly on this matter. But I will conclude my comments there with an eye on the clock. For these and many other reasons I wholeheartedly commend this bill to the house, and I am very much looking forward to seeing it implemented in my community and statewide very soon.

**Tom McINTOSH** (Eastern Victoria) (15:58): I also rise to support the Gambling Legislation Amendment Bill 2023 following my other colleagues, and I too would like to acknowledge Minister Horne for her role as Minister for Casino, Gaming and Liquor Regulation and her work in bringing this to the Parliament. This is an important reform. We know that gambling hurts primarily the individual who is doing it. It impacts in so many ways. Obviously there is a financial element and what their financial capacity is to look after themselves and their lives, whether that be ensuring they keep a roof over their head or they have access to a car, a job and all those sorts of things that people need around them to live a meaningful life that makes a contribution to our state and to their families and communities. But the impact, I think, is more devilish when it plays out on those around the individual who has a gambling addiction. When we think of the partners who live with their loved one, often they are unaware of what is happening – of the harm, of the financial loss, of the health stresses and the mental stresses, everything that is happening to those with a gambling addiction – and it often does not become apparent until from a financial perspective and from the emotional circumstances in a relationship it is revealed that so much damage has been done.

As I said, this individual suffering and addiction is experienced, and once their partner is aware of it then it passes on to them and of course for people with families, with children, it then passes on to those children. It plays out and impacts on families so much, whether it be, as I said before, food in

the fridge, house, car, transport – all these sorts of things – but then all the smaller things in life that are so important, particularly to kids: the ability to partake in local sports, to be able to have the clothing they need for school, clothes for weekends, sports equipment, all the things that make life rich for kids. When a family home is stripped of that financial ability to pay for those simple things, it has really, really devastating effects.

I spent a year working for Financial Counselling Victoria, and they have a team dedicated to supporting people with gambling problems. It is such critical work. I think why this bill is so important is that it is setting up people who identify with problems to be able to manage. What we are looking for is ways that cannot be worked around for the individual to ensure that they can break their addiction, secure their financial situation and secure their relationships with family, with friends and with loved ones and bring that all back together so they can get some normalcy, because as we have discussed in this place around other issues, whether it is drug dependence or other addictions, it is so much of the other normalities in people's lives that spin out and make the addiction so devastating to everyone close. We know that in Victoria we have had hundreds of thousands of people face harm from gambling and billions of dollars lost, so this work, this bill that the minister has brought forward, makes such meaningful changes to ensure that those who are facing problem gambling can work to stop it. I will go through what that does shortly.

It is also worth noting that we have a regulated industry, and what government has to do in so many instances is strike the right balance. We do not want to see behaviours being driven underground where we have no visibility or capacity to support, so I think what we are doing is working towards harm minimisation and supporting individuals, their loved ones and their families. We are in a place where we are continually striving for this regulated industry to be used by people who want to use it but not to a point where it is causing harm and suffering in our community and significant financial loss, because we know that when families do not have money and communities do not have money that hurts all of us.

The points that this bill brings include mandatory closure periods. The fact that poker machines outside the casino will be shut off from 4 am to 10 am is something I am very, very supportive of. Ms Watt said in her contribution that nothing good happens at 4 am, and I am a big, big believer of that, particularly as I get older. Get home early, get to bed – everyone does well for that, I think. Up until now these venues have had to close their gaming rooms for 4 hours, but they have been able to choose when that is, so we have had this staggering effect. We can see local islands, if you will, of machines in continuous operation, so people can go between one venue and the next and continue to gamble. We know that this is occurring in certain areas and, as a lot of my colleagues have pointed out, particularly in the west and the north, where huge amounts of money have been lost in these areas of rolling opening where people can just continue to gamble. I absolutely support the 4 am to 10 am closure period.

We have also got the reduction in load-up limits on gaming machines from \$1000 to \$100, which is a massive reduction. I think that, with the mandatory precommitment and carded play, is just coming back to what I was saying earlier about reducing the harm, taking the heat out of these periods of harm, giving people – like with the closure time, the 6 hours of closure – the time to step back and to assess. The mandatory card – the precommitment and carded play – is ensuring that in times of clarity people can determine what it is they are wanting to spend. Coming back to the point I was making before about it being a regulated industry and ensuring that we have a well-regulated industry, these steps are going to deliver that for Victorians so we do not see this harm, so we do not see this loss.

The other point I was going to make is about the spin time. The 40 per cent reduction in spin speeds is, again, taking the heat out of it. It is taking out this ability to lose. I think when we look at the gambling conversation not just here in Victoria but across Australia a lot of people enjoy gambling in Australia, but what we have really seen that people do not like is where there is a mass concentration of pushing people into gambling – what we have seen with wagering ads, this constant prevalence of gambling and anything that is increasing people's losses. I think people are quite tolerant where there

is not predatory behaviour. It is the predatory behaviour within our communities that is not accepted. So slowing down the spins, lessening the opening hours, reducing the limits of money that can be loaded in and putting in the precommitment carded play – all these steps – will just, as I said before, minimise this harm and help to ensure that people do not end up at the bottom of the cliff, that people are not put on a treadmill faster and faster until they end up in a place they do not want to be. It is taking out that heat, taking out that time.

There has been lots of work and there are so many incredible advocates in this space, so we acknowledge them, as a lot of our colleagues have today. I acknowledge them as well and those that have suffered themselves through gambling – whether that is financial loss – have recovered and have been able to tell their story and help a good collection of people to move towards this change. But we also remember those people – and those in my lived experience – for whom unfortunately gambling has been one of the key factors contributing to suicide, which is such a tragic, tragic outcome. When we look holistically at people's mental health and wellbeing and, as I said before, ability to contribute to family and community, these changes – I just keep going back to it – are taking the heat and speed out of the time frame in which people can find themselves in these situations, because often when they do there are other underlying circumstances. I have talked a lot about trauma in this place in other contributions – the trauma or the difficulty that is in people's lives that is leading to the behaviours of alcohol or drug abuse or gambling abuse. If we cannot slow down the abuse in any of those, then it is very hard to get to the underlying drivers that are causing these behaviours, so the fact that all of these changes through this bill enable all that to happen gives us the greatest potential for people to get support and get their life on track. And we are actually short-circuiting that generational trauma and that generational damage that is flowing on to people and their families and their loved ones and their friends that occurs through these behaviours and, as I said before, this financial damage, where in the worst situations people take their own lives or end up in prison through actions they have taken to feed addictions.

My colleague Mr Galea mentioned before the Public Accounts and Estimates Committee. He is one of three members in this house, with Mrs McArthur and Mr McGowan, who were also in that inquiry into the Victorian Auditor-General's reports number 99 *Follow up of Regulating Gambling and Liquor* of 2019 and number 213 *Reducing the Harm Caused by Gambling* of 2021. Whether it be in community or in Parliament, there is so much work that is being done to find best practice and to find a sustainable place where we minimise this harm and ensure that people can enjoy their various vices, if we will call them that, without ending up in the situations that do so much damage and harm.

These major changes are here to protect Victorians from gambling harm. It will be compulsory for pubs and clubs to close their gaming areas between 4 am and 10 am. All gaming machines in the state will require mandatory carded play and precommitment, meaning that if a patron wishes to play a machine, they must set the amount that they are willing to lose. And these measures, combined with a significant slowing of new machines by more than 40 per cent to 3 seconds per game and that 900 per cent reduction in how much money can be put in the machines at any one time to \$100, represent the most comprehensive package of gambling reforms in this country.

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (16:13): Back in July the Premier announced a wideranging package of really important gambling reforms, which many in this house on all sides have spoken to quite eloquently today. In particular those on the government side have spoken strongly in favour of including the mandatory closure period for gaming machine areas outside of the casino, a reduction in load-up limits, an increase in relation to the spin rates of the machines and the extension of the mandatory precommitment to all gaming machines. These are the first tranche, as has been said, of some really important and indeed nation-leading reforms in relation to gambling and protecting some of the most vulnerable in our community. They will deliver on gambling harm reforms, and they will improve the implementation of recommendations from the Royal Commission into the Casino Operator and Licence. They are an



important first tranche in our gambling reform agenda, and I am very pleased to commend the bill to the house.

**Motion agreed to.**

**Read second time.**

**Committed.**

*Committee*

**Clause 1 agreed to.**

**Clause 2 (16:15)**

**Georgie CROZIER:** I am asking these questions on behalf of my colleague Mr Mulholland. Minister, the bill indicates the new closure hours will come into force on a date to be proclaimed or no later than 3 October 2024. Industry needs time to prepare for these changes to the opening hours. When does the government propose these reforms will begin?

**Lizzie BLANDTHORN:** Mid next year.

**Georgie CROZIER:** If it is mid next year, that is halfway through the year and then it will come into operation October 2024. Is that enough time to have all those reforms in place and for everyone to be informed of the changes?

**Lizzie BLANDTHORN:** Yes, my advice is mid next year and that that will be the case.

**Clause agreed to; clause 3 agreed to.**

**Clause 4 (16:17)**

**Georgie CROZIER:** This goes to the appointment of the manager, the licence-holder, the casino operator, the statutory management of the casino and a range of other things. The question I have, Minister, is: should the casino licence be surrendered, suspended or cancelled, what qualifications would the government be looking for in a manager to appropriately manage any casino licence?

**Lizzie BLANDTHORN:** My advice is that that will be determined by the regulator, the Victorian Gambling and Casino Control Commission (VGCCC).

**Georgie CROZIER:** Thank you for that clarification, Minister. Would it be a corporation or would it be a person that would be managing? Has the government got a view on that, or would that be up to the regulator to determine?

**Lizzie BLANDTHORN:** It would likely be a corporation.

**Georgie CROZIER:** Minister, how long would a manager be expected to stay in the new role, should that eventuate as I have previously described, or how long should it take to issue a new licence?

**Lizzie BLANDTHORN:** My advice is 'As long as it takes,' but we would seek to do it as quickly as possible.

**Georgie CROZIER:** Minister, how are the state's interests protected in the event a manager has been appointed to the casino and the company goes into liquidation or administration?

**Lizzie BLANDTHORN:** My advice is that there are amendments specifically to deal with that scenario in new section 22H.

**Georgie CROZIER:** Section 22H goes to the general functions and powers of the manager, and there are a number of subsections to that particular section. Could you just clarify for me in relation to that question I asked – 'How are the state's interests protected in the event a manager has been

appointed to the casino and the company goes into liquidation or administration?’ – which subsection of that particular section spells out how the state’s interest will be protected?

**Lizzie BLANDTHORN:** My further advice is that new section 22M goes further to that very issue. So 22M details that.

**Georgie CROZIER:** It does talk about what happens if a casino operator goes into administration or liquidation. Could I ask – the various paragraphs in this subsection ensure a manager has access to the property and other rights – has anything occurred that has given the government concern that it could be prohibited from accessing the property in the event the casino licence is cancelled?

**Lizzie BLANDTHORN:** The obligations are dealt with in new section 22K, but the obligation that the casino has both as a hotel and as a gaming venue is being dealt with there.

**Georgie CROZIER:** Okay. If there were issues that came to the government’s attention regarding whether the casino is fit to continue as a licensee, at what point would the government decide whether or not the casino is fit to continue holding that licence?

**Lizzie BLANDTHORN:** My advice is that would be a decision that would be made by mid-April – 15 or 16 April – by the VGCCC.

**Georgie CROZIER:** Minister, will the government release in full the special manager’s report when a decision is made?

**Lizzie BLANDTHORN:** Yes.

**Clause agreed to; clauses 5 and 6 agreed to.**

**Clause 7 (16:25)**

**Georgie CROZIER:** Minister, this clause relates to the payment of winnings, and it mandates that from 1 December 2025 any person collecting more than \$1000 must provide ID and receive the funds only via cheque or EFT. Could you explain why it would not be implemented any earlier than 2025?

**Lizzie BLANDTHORN:** It is to align with the introduction of carded play.

**Georgie CROZIER:** Are there any exceptions in terms of casino games – we just talked about carded play – that this would apply to or any other parts of the casino, meaning the Mahogany Room or the high rollers room?

**Lizzie BLANDTHORN:** My advice is no.

**Clause agreed to.**

**Clause 8 (16:26)**

**Katherine COPSEY:** Minister, I have a question in relation to mandatory precommitment and what happens in the event of downtime of the YourPlay system. In the event of downtime, ministerial directions limit access to unrestricted mode for persons who were previously using YourPlay for periods of between 3 and 5 hours depending on when that downtime starts. I understand that current ministerial directions governing unrestricted mode and use of machines during downtime can be updated or may be updated. Can you please advise what your thinking currently is on the use of unrestricted machines and how we can see harm prevention in the event of downtime of YourPlay?

**Lizzie BLANDTHORN:** My advice is that it goes to ministerial directions that will be updated as a matter of course, and I do not have that available for you at this point in time.

**Katherine COPSEY:** We might address it outside of this process then.

**Clause agreed to; clauses 9 and 10 agreed to.**

**Clause 11 (16:28)**

**Georgie CROZIER:** This clause goes to the area that I was speaking to before about payment of winnings, regarding cheques or EFT. This is the interim arrangements until 1 December 25, it is my understanding. Why couldn't the ID requirement be implemented earlier?

**Lizzie BLANDTHORN:** My advice is that the time line is in many respects dictated by the types of technologies that need to be adapted across the different types of gaming to align with and that 2025 is the time by which it can all be aligned.

**Clause agreed to; clauses 12 to 14 agreed to.****Clause 15 (16:30)**

**Georgie CROZIER:** Minister, this clause allows the minister to ban betting on certain interstate events if they are 'out of step with community expectations'. Could you give an example as to what they might be? What is 'out of step with community expectations'?

**Lizzie BLANDTHORN:** One previous example that I think was quite public was where there was betting on children's sport – a cricket match, for example. I think the community would clearly consider that beyond their expectation. Other such events might fall into that category also.

**Georgie CROZIER:** At many popular events under-18s compete at adult level, just to go to that point about betting being undertaken on children's sport. We know that there is the Australian Open, swimming et cetera. So how does the government define 'children' in this context where somebody might be competing? A 17-year-old might be competing in that adult swim sport where they might have 22-, 29-year-olds competing against them.

**Lizzie BLANDTHORN:** My advice is that the VGCCC has recently written to sports asking them to not facilitate any betting in relation to any sport that involves children under 19.

**Georgie CROZIER:** So that means, if a team has any individual in it 19 years or under, then it cannot be bet upon. Is that right? What about a jockey riding a horse or something like that? So that cannot be bet upon – no bets placed?

**Lizzie BLANDTHORN:** My advice is that the VGCCC has written to all sports in relation to that. If it is a team sport, for example, that has a team member who would be under 19, then it would include the whole team, but if it is an individual, it is just in relation to the individual. So a tennis player at the Australian Open and a jockey on a horse are individuals, but in relation to a team sport it would mean the whole team.

**Georgie CROZIER:** I could not hear you properly. So it does not relate to an individual but it relates to a team? Is that what you said?

**Lizzie BLANDTHORN:** No, sorry. For further clarification, it certainly relates to an individual. So if the jockey was under 19, it would apply to the jockey. If it was a team – the Australian Diamonds was the example I just discussed with the box – and there was one team member who was under 19, then it would affect the whole team.

**Georgie CROZIER:** Okay. I am quite interested in this, because to use my example – I mean, we have had jockeys that have ridden in country horseraces and they are not always adults and even individual tennis players that are playing on the world stage. So they would be automatically precluded, or nobody could bet on their ability?

**Lizzie BLANDTHORN:** For clarification, Ms Crozier, it is where the team sport might be age restricted. My example of the Australian Diamonds is not correct, but where there might be an age-restricted netball team, say of under-19s, then it would be assumed that the majority of the people in the team are children and therefore cannot be bet on. It also does not apply to racing, despite that being the example we discussed.

**Georgie CROZIER:** I am very glad I asked the questions. Thank you for the clarification, because I think it would be unworkable, as I think you have just alluded to. My next question was going to be: how would it be policed? Who would undertake all of that policing to ensure that there are not under-age people in those teams, and what are the penalties around if a team did have somebody of 17 operating in an adult team?

**Lizzie BLANDTHORN:** I guess further to that as well, these definitions have been set by the VGCCC and the regulation of that and the policing of that would come down to the VGCCC.

**Georgie CROZIER:** The last question on this clause, Minister: will the government commit to consulting wagering companies before any declarations are made under this clause?

**Lizzie BLANDTHORN:** Yes.

**Clause agreed to; clauses 16 to 25 agreed to.**

**Clause 26 (16:38)**

**Katherine COPSEY:** Minister, during public hearings for the Public Accounts and Estimates Committee inquiry, which has been referenced a bit in debate today, we heard expert witnesses provide clear evidence that harm does ramp up during the early morning hours, specifically that harm starts to occur at about 2 am. It increases from 12 midnight and then ramps up substantially from about 2 am. Given the bill is not currently following that public health evidence, can the minister advise on what criteria the decision was made to set the mandatory closure period to commence from 4 am?

**Lizzie BLANDTHORN:** My advice is that the research indicates that around one-third of local government areas currently have access, as I think a number of members of this chamber have discussed this afternoon, to gaming between 22 and 24 hours per day, and further analysis has shown that when one venue closes nearby venues are opening. Also, the attendance at those opening venues demonstrates that people are moving from venue to venue. The decision to set these hours was really based on ensuring that there is that break, by reducing those hours, and ensuring there is that consumer protection measure, increasing individual awareness of decisions that people are making in terms of not taking people out of their zone. Evidence has also shown that people who usually play gaming machines in the early hours are significantly more likely to experience gambling-related harm. Certainly the evidence is, and the decision has been taken, that these hours would be the suitable reduction in hours to achieve that reduction in harm that we all I think collectively agree is so important.

**Katherine COPSEY:** Will you be open to further reforms and further considering the evidence around harm in relation to mandatory closing hours into the future?

**Lizzie BLANDTHORN:** Obviously these mandatory closures will ensure periods of at least 6 hours for gaming machine areas at clubs and pubs between 4 am and 10 am by mid-2024. As I said earlier, the evidence shows that reduced hours and staggered hours are really what we know will lead to reduced harm. I think it is fair to say that the government constantly evaluates the effectiveness of these types of policies in ensuring that they are achieving the desired outcomes and, in this case, reducing that harm. I am sure it will remain under constant evaluation.

**Katherine COPSEY:** I move:

1. Clause 26, line 5, omit “4:00 a.m.” and insert “midnight”.
2. Clause 26, lines 10 and 11, omit “4:00 a.m. and 10:00 a.m. on any day” and insert “midnight on any day and 10:00 a.m. on the following day”.

I will speak to those amendments, as circulated. My amendments are quite simple. Mandatory closing hours would start at midnight under these amendments, not at 4 am, resulting in a 10-hour period each day when poker machine dens are closed. The Greens acknowledge that this bill does standardise the current 6-hour closing time, and this is a positive step. This will stop venues in close proximity

staggering their opening hours, as the minister has just alluded to, and there is excellent evidence that substantial harm is occurring at poker machine venues between 4 am and 10 am.

However, there is also good evidence that there is substantial harm occurring between midnight and 4 am, and it is longstanding Greens policy that mandatory closing hours should commence at midnight and go to 10 am. Just in July this year, during the public hearings for the Public Accounts and Estimates Committee inquiry into gambling harm, we saw expert witnesses provide clear evidence that harm ramps up during these wee hours of the morning. Professor Samantha Thomas, who is a specialist in determinants of public health at the school of health and social development at Deakin University, gave evidence on opening hours, and I quote from her evidence:

As far as I am aware, there are 485 venues in Victoria ... 107 of them are open at 4 am and 361 of them are open at 2 am. Now, the most recent evidence that comes out of New South Wales shows that between midnight and 2 am we start to see the harm increase, and then at about 2 am we start to see it increase significantly again. So there does not seem to be a compelling reason for a 4 am close when we know that the harm is starting to amplify much earlier than that.

We have heard in debate today a lot of references that nothing good is happening in a poker machine venue at 4 in the morning. I would say that nothing good is happening at a poker machine venue at 3 and at 2 in the morning. The gambling industry does continue to cause significant avoidable harm to individuals and families in our communities. Based on this sound evidence, the Greens' amendments would allow 10 hours where people and communities are protected from the saturation level of poker machines that exists across our state in communities down to the neighbourhood level. This would be a notable step in mitigating harm against individuals and communities by poker machines, so I commend the amendments to the house.

**Evan MULHOLLAND:** The opposition will be opposing these amendments.

**Lizzie BLANDTHORN:** The government will not be supporting this amendment. To further reiterate the comments I made earlier, with respect to the government's gambling reforms, the purpose of this bill is address the fact that some venues stagger their opening hours to provide around-the-clock access to poker machines. This is the practice, whether intentional or otherwise, where venues set their opening hours so that when one venue opens, another closes. Many people in the chamber today have talked about examples of that in their local communities.

We know that approximately 400 venues, or 85 per cent of all operating venues, are currently trading during the 4 am to 10 am window. The change will require all hotels and clubs to close their gaming rooms for 50 per cent longer compared to the current law. This is an important step forward. The standardised closing hours of between 4 am and 10 am effectively acquit the purpose that is key to the legislation, so we will not be supporting the amendment. We will be opposing it on the basis that the bill is seeking to make a significant improvement.

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

*Ayes (7):* Katherine Copsey, David Ettershank, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam

*Noes (28):* Matthew Bach, Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaele Broad, Georgie Crozier, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nicholas McGowan, Evan Mulholland, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt

#### **Amendments negatived.**

**Evan MULHOLLAND:** I move:

Clause 26, line 14, after "casino operator" insert "or in relation to an approved venue that is within 3 km of a casino".

The findings from the royal commission against Crown Casino were quite shocking. Without this amendment, an industry and individual venues which have not engaged in or been accused of engaging in a fraction of the misconduct that Crown has will find themselves targeted. The government at the time said the reforms would not affect anyone other than Crown Casino, but this bill seems to affect everyone but Crown Casino, which is why we are moving forward with an amendment to clause 26, which inserts new section 3.5.28A. This new section does not apply to a venue operator who is a casino operator, and our amendment adds the words 'or in relation to an approved venue that is within 3 km of a casino'. The amendment would take in venues around the outside of the CBD and the CBD. If the government thinks that Crown Casino is an economy and destination in itself, so is the CBD.

**Lizzie BLANDTHORN:** The government will not be supporting this amendment. The purpose of this bill is to address harm that occurs from convenience gambling. We know that ease and convenience of access to gambling is what causes harm, and the people of the Melbourne CBD and surrounds deserve the same protections as anyone else does. I think Mr Batchelor spoke quite clearly to that earlier in relation to the families and the communities that make up the inner city of Melbourne.

The casino is excluded from the operation of these laws as it is a destination gambling venue, and it is worth noting that the casino is rightfully subject to stronger regulation and oversight as compared to the rest of the sector. In the casino there are mandatory limits on how long a patron can play before they need to take a break, the regulator has a dedicated team that focuses just on the casino and is based in the casino and from December this year mandatory precommitment and carded play will be implemented on poker machines in the casino. The casino is also subject to penalties of up to \$100 million for breaching its responsible service of these gambling requirements.

In short the government is committed to ensuring that the families and communities of inner Melbourne have the same protections as families across the state, and we will not be supporting this amendment.

**Katherine COPSEY:** The Greens will not be supporting this amendment. It is contrary to the purpose of the harm-reduction measures that are introduced in this bill and that are very welcome and would create a discrepancy between venues that is not warranted. Gambling harm is happening in the early hours of the morning across our neighbourhoods, and people in the CBD deserve just as much protection from the harmful gambling industry as those in our suburbs.

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

*Ayes (14):* Matthew Bach, Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, Renee Heath, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nicholas McGowan, Evan Mulholland, Rikkie-Lee Tyrrell

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

#### **Amendment negatived.**

#### **Clause agreed to.**

#### **Clause 27 (17:01)**

**Evan MULHOLLAND:** Could I ask the minister: what reduction in problem gambling is forecast to occur as a result of the mandatory hours changes, and what research can the government provide to back this up?

**Lizzie BLANDTHORN:** The government is confident that approximately 4.5 per cent of total electronic gaming machine revenue occurs between 4 am and 10 am, meaning that these reforms will have limited impact on venue revenue, but they will have a significant impact in terms of the number

of hours that venues will be open and therefore a significant impact in relation to reducing gambling harm.

**Evan MULHOLLAND:** Has Treasury modelled any fiscal impact of these changes to gaming tax revenue?

**Lizzie BLANDTHORN:** My advice is that the VGCCC has undertaken the analysis and the modelling.

**Evan MULHOLLAND:** Does the government intend to review these opening hours after a period of time?

**Lizzie BLANDTHORN:** As I indicated to a question from Ms Copsey earlier, the desired outcomes of these reforms and the impact of these reforms are what is important to the government, and it will remain, as all of these types of reforms always do, under constant observation by the government whether or not the outcomes are being achieved and therefore under constant evaluation.

**Evan MULHOLLAND:** Just back to earlier, will that modelling of the fiscal impact of these changes by either Treasury or the commission be made publicly available?

**Lizzie BLANDTHORN:** The VGCCC conducts that modelling, and that is really a matter for the VGCCC.

**Evan MULHOLLAND:** Did the VGCCC take any regulatory action against venues that were allegedly staggering opening times before resorting to this legislation?

**Lizzie BLANDTHORN:** My advice is that all alleged breaches were investigated, and behaviour is under constant observation by the VGCCC and handled accordingly.

**Clause agreed to; clause 28 agreed to.**

**Reported to house without amendment.**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (17:05): I move:

That the report be now adopted.

**Motion agreed to.**

**Report adopted.**

#### *Third reading*

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (17:05): I move:

That the bill be now read a third time.

**Motion agreed to.**

**Read third time.**

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

#### *Adjournment*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:06): I move:

That the house do now adjourn.

### Southern Metropolitan Region kindergartens

**John BERGER** (Southern Metropolitan) (17:06): (539) My adjournment is for the Minister for Children Minister Blandthorn. Two weeks ago I had the honour of representing the minister at the official reopening of the Rowen Street Kindergarten in the suburb of Glen Iris. Thanks to the Andrews–Allan Labor governments, Rowen Street Kindergarten received \$180,000 in the 2021–22 Building Blocks inclusion grants program. The funding contributed to an upgrade of the outdoor environment and modern landscaping to make it more inclusive for children and their families and to better reflect the beautiful surrounding environment of the electorate of Hawthorn. I want to thank the previous member for Hawthorn John Kennedy, who I know the people of Hawthorn dearly miss, for his work in getting this done.

Inclusive education is defined by the Victorian government as an education system where all members of every school community are valued and supported to fully participate, learn, develop and succeed within an inclusive school culture. There cannot be a one-size-fits-all system. That is why over the next decade we are transforming our education system. Since last year every three-year-old has had free access to 5 hours of kindergarten a week, and by 2029 that will extend to 15 hours. I have six children, so I know a bit about young kids, even though it has been a while since I attended a kinder. But there is something that I do have in common with my kids: we all grew up watching *Play School*, a show that launched when I was two years old. Have you ever wondered why it is called *Play School*? As another childhood educator – you may have heard of him – Fred Rogers once said, ‘Play gives children a chance to practise what they are learning.’ By giving children an opportunity and the space to productively play, we are giving them a safe place to learn and grow. The evidence is clear: we know that children who start kindergarten early in life at age three gain academic and social benefits that last into their school years and set them up for life. Until now Australian kinder has been funded from the age of four. Imagine the change that introducing it a year earlier will make for the next generation.

On top of all of that, there are flow-on benefits to our community, like having more early childhood educator jobs and thousands of dollars being saved in household budgets from not needing child care. Across the state we are expanding and building thousands of kinders into the next decade. This year’s budget alone allocated almost half a billion dollars over five years to get this done. The deputy mayor of Boroondara Lisa Hollingsworth is a passionate advocate for kinders, and there is a great one in her ward, Fordham Avenue Kinder. That is why my adjournment to the minister is: will the minister join me and the deputy mayor on a visit to Fordham Avenue Kinder to thank the staff for the amazing work that they do?

### Shepparton bypass

**Wendy LOVELL** (Northern Victoria) (17:09): (540) My adjournment debate issue is for the Minister for Transport Infrastructure, and it relates to Labor’s continued neglect of the Shepparton bypass project. The action that I seek is for the minister to match the Liberal Party’s election commitment and provide \$260 million as the state government’s 20 per cent contribution to construction of stage 1 of the Shepparton bypass project.

During the October 2022 floods one of the most significant issues was the isolation of Mooroopna from Shepparton due to the necessary closure of the Peter Ross-Edwards Causeway. The forced closure of the causeway highlighted the need for a second river crossing built above flood levels to ensure that the community is not divided in the future. For many years Greater Shepparton has regularly listed the bypass as the region’s number one priority; however, the state Labor government has regularly placed the bypass as its last priority by showing no interest in the project. Stage 1 of the Shepparton bypass project is a vital component of road infrastructure that will remove dangerous heavy vehicles from their current route through the central business districts of Shepparton and Mooroopna and relieve pressure on the Peter Ross-Edwards Causeway, which carries about 30,000 vehicle movements per day.



Importantly, this section of the bypass will deliver a much-needed second river crossing between Shepparton and Mooroopna. Following the devastation of the floods, the need for a second river crossing between the two main towns of the Greater Shepparton region is clear. Having the only access point between Shepparton and Mooroopna completely inaccessible for five days meant that residents in Mooroopna, Tatura and other towns west of the river had no access to the hospital or other vital healthcare services that are all located on the Shepparton side of the river. Planning and advocacy for the bypass has been going on for three decades. It is time both the state and federal governments got on with delivering this vital first piece of the bypass that would deliver a second river crossing between Shepparton and Mooroopna.

### Abortion services

**Sarah MANSFIELD** (Western Victoria) (17:11): (541) The action I am seeking is for the Minister for Health to establish monitoring and reporting requirements for the provision of surgical termination of pregnancy in Victoria. Equity for women, especially in health care, has been hard fought for by a legacy of courageous and persistent women. Throughout the 20th century accessing abortion was a criminal offence. The Menhennitt ruling in the 1960s was triggered by a landmark case in which a doctor's abortion practice was ruled lawful due to its necessity for protecting an individual's life or physical or psychological wellbeing; however, it took another 50 years for abortion to be formally decriminalised in this state.

Despite these reforms, 15 years on there are many parts of the state in which women simply cannot access an abortion and abortion care is treated differently to other areas of health care. Women cannot be sure that they will be able to access abortion care from a Victorian public hospital. In fact, because of conscientious objectors, a lack of trained workforce and stigma around termination provision, there are entire local government areas where there is no access to abortion care. For women facing the complicated decision to have an abortion, the barriers to access and challenges navigating the system make a difficult period even more so.

The latest data compiled by the *Victorian Women's Health Atlas* identifies 11 LGAs across the state with high numbers of patients seeking medical terminations but limited to no practitioners prescribing medical termination. While there is plenty of anecdotal evidence from women attempting to access services and people who work in women's health around the barriers that are faced, we do not have publicly available data on the number of surgical terminations performed, the availability of practitioners who can provide surgical terminations or the number of patients seeking surgical abortion care, because the Department of Health do not publish this and we are not even sure if they collect it.

How can we solve the postcode lottery if we do not have the capacity to strategically plan for service provision? By knowing where the gaps are, we can work on solutions. Women's health services rely on this data so they can be strategic about workforce development and support and the rollout of new services where gaps exist. The Greens position is that abortion care is basic health care. The *National Women's Health Strategy 2020–2030* aims to enable women and girls to have access to services that meet their healthcare needs, and yet abortion is treated differently from other health services. A first step to rectifying this would be mandating the department to report on the delivery of this essential component of health care.

### Heat health plan

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (17:14): (542) My adjournment is for the Minister for Emergency Services, and the action I seek is for the minister to outline the emergency management plans for heatwave preparedness in the South-Eastern Metropolitan Region. Will the minister also advise me of the actions being provided to councils in the South-Eastern Metropolitan Region to prepare for the dangerous conditions predicted?

The municipality of Greater Dandenong held its first heatwave preparedness event in September 2023, which I believe left residents with more questions than answers. The motion by Cr Rhonda Garad was

for the council to undertake a detailed report on the emergency management necessary for events such as power blackouts during heatwaves. I commend the council on its early heatwave preparedness session, but the detailed action plan failed to be delivered at this session. In order to give the community the best advice possible on what is going to be an extremely difficult summer and to give residents confidence to act accordingly, concerns needed to be addressed. Questions such as ‘What happens if my power goes off in the next few days – where do I go?’ and ‘Which community centre or space will be open to me if I do not have power?’ were not answered, and this left residents more frustrated and confused.

Key representatives from emergency services, the Victorian Department of Health, United Energy, business and manufacturing groups, members of the public, schools, aged care facilities and the Department of Families, Fairness and Housing were all in attendance according to reports by journalist Sahar Foladi of the *Dandenong Star Journal* of 26 September 2023. As reported, we are due to have a prolonged and dangerous summer, with our emergency services not given adequate resources to cope with the pressures. How can we be sure this is not just another token gesture by the government, which, although it provided a detailed heat health plan for Victoria, seems to not have met the mark with residents in Greater Dandenong recently. The *Heat Health Plan for Victoria*, according to the Department of Health:

... together with local government and the health sector, can work together to promote public health and wellbeing before and during periods of extreme heat.

That is their quote, not mine. According to this report:

In 2014, 167 excess deaths were recorded during a four-day heatwave across the state. This heatwave followed the 374 excess deaths recorded during the 2009 heatwave compared to the same period in the previous five years. ‘It is likely that the framework and collective efforts of all agencies have contributed to the reduced impact on public health in 2014’ according to the Victorian Auditor-General.

That was from the inspector-general for emergency management report on heatwave management. We need to actually know what this minister is doing, what actions are being provided for the heatwave and what plan is being given to the local councils.

### Mulesing

**Georgie PURCELL** (Northern Victoria) (17:17): (543) My adjournment matter this evening is for the Minister for Agriculture, and the action I seek is for her to ensure that mulesing is prohibited under the new animal care and protection laws. In 2020, thanks to the work of the former Animal Justice Party member in this place, it became mandatory for those mulesing young lambs in Victoria to use pain relief. Mulesing is an incredibly painful mutilation procedure in which the skin around the rear of the lamb is sliced off with sharp shears. Mulesing was designed to address a human-made problem in which sheep are selectively bred to have excess skin and therefore more wool. It makes them prone to flystrike, a painful and sometimes fatal condition caused by maggots hatching inside the extra skin folds of sheep and eating their flesh.

Mulesing is the industry’s quick fix, and it is not always an effective form of prevention, especially since the problem persists in folds of skin elsewhere, such as around the neck and under the legs. Scientific research confirms that the best solution to flystrike is to stop breeding sheep with wrinkles, instead raising plain-bodied sheep who do not have these folds of skins to begin with. This is an economically possible and ethically vital transition to be made here in Victoria, yet the much crueller option of mulesing widely persists.

In Victoria there is a fundamental flaw in the most common legally required form of pain relief. Trisolfen is only applied after sheep have had their skin cut off in chunks while they are totally conscious and are able to feel every moment. Some farmers may use an additional form of pain relief, Meloxicam, applied before the procedure, but this can take up to 2 hours to take full effect and farmers

have been observed waiting mere seconds before cutting into young lambs, rendering the pain relief useless.

Victorian organisation Collective Fashion Justice recently obtained new footage of mulesing in this state. It shows what this so-called best practice form of mulesing, using two types of pain relief, actually looks like. Lambs are seen writhing in extreme pain and crying out, slowly limping after being horrifically injured and then thrown to the ground. Lambs are of course sentient, feeling animals, the same as our beloved dogs and cats. Many farmers will admit to despising this cruel practice even if they have administered more pain relief than legally required. An experienced vet reviewed this abhorrent footage. They confirmed that the two treatments combined give partial but not complete pain relief and that an additional dose of either of those medications does not guarantee any relief at all. Once you have seen the pain endured by these animals with your own eyes the right decision is clear, and I hope that the minister will side with the animal welfare science and with kindness and end mulesing here in Victoria. It is the very least that we can do for lambs and sheep.

### Taxation

**Matthew BACH** (North-Eastern Metropolitan) (17:20): (544) My adjournment matter is on a slightly different topic. It is regarding tax policy here in Victoria, so my adjournment matter is to the Treasurer, and the action that I seek is for him to guarantee that the government will not introduce a tax on sugary drinks – so-called sugar-sweetened beverages. I am concerned about this matter in particular because numerous so-called public health bodies are now pushing the government to go further when it comes to sugary drinks. It is understood that ordinarily tax policy in this area sits predominantly with the federal government, but nonetheless I am concerned because this government has shown a predilection to tax just about anything and to even introduce taxes that are illegal, so I do not think we can simply say that ordinarily this is a tax base that sits with the federal government.

I read recently something that I had heard some time ago but then forgotten, and that is that former Labor Treasurer of New South Wales Michael Costa once threatened to write a book entitled *I'm Fat, Ugly and Stupid: What's the Government Going to Do about It?* I hear language from this government that on the face of it sounds fine, sounds caring, regarding some of the issues that Victorians face, and yet I am concerned that there is a creeping view in Victoria – certainly amongst some of our public health establishment – that the government should be doing more to solve basic problems that in my view we as individuals should be seeking to solve for ourselves.

I am sure there are many good people working across public health in Victoria. However, a portion of our public health establishment is a cabal of mendacious rent-seekers who are seeking to destroy all joy in people's lives. My view is that if people wish to drink sugary soft drinks they should be able to drink sugary soft drinks. If people wish to eat a packet of Doritos, as I did only a few moments ago, they should be able to do that. Victoria is in the midst of a cost-of-living crisis. This government has increased taxes so many times I have lost count. I think it is now 52 –

**Georgie Crozier:** Fifty-two.

**Matthew BACH:** Thank you, Ms Crozier, 52 times, and the momentum around more sin taxes is growing. I am sad to say it was a centre-right government in the UK a few years ago that introduced more taxes on sugary drinks. There is a movement around KFC at the moment – I do not eat much KFC – to ban advertising of KFC. The action that I seek from the Treasurer is for him to rule out further sin taxes, especially regarding sugary food and drink.

### Wild horse control

**Rikkie-Lee TYRRELL** (Northern Victoria) (17:23): (545) My adjournment matter this evening is for the Minister for Environment in the other place. Brumbies are held in a fond place in the heart of many Victorians. Their contribution to World War II goes straight to the core of our identity. Their majestic nature and their presence in our forests and High Country have long been heralded in songs,

prose and stories. They are a part of our landscape. I find it therefore unfathomable that they continue to be brutally slaughtered in the Barmah state forest. There are deeply compassionate volunteers willing and able to go into the forest and rehome these beautiful animals, yet the government is still allowing them to be shot from both ground and air, leaving them to suffer in indescribable pain. These are complex social creatures that should be spared from these indiscriminate culling practices. I call on the minister to pause the culling of the brumbies and to liaise with the communities who are so willing to rescue these last remaining brumbies from state forests.

### White Flat Oval

**Joe McCRACKEN** (Western Victoria) (17:24): (546) My adjournment matter is for the Minister for Police in the other place, and the action that I seek is for the minister to come down to White Flat Oval in Ballarat and inspect for himself the state of play down there. There are a number of issues down at White Flat Oval, which is not too far from Yarrowee Creek in Ballarat. Locals have called it 'tent town' because of the number of people that are using the space to put up tents because they cannot find anywhere else to live, which is in itself a terrible situation, and I acknowledge that. But at the same time there is a lot of antisocial behaviour occurring there as well. I have got reports from a number of local user groups of the oval that there are some pretty horrific things happening. There have been reports of young children that have been exposed to by local people living in that place – literally exposing themselves to young kids. It is pretty awful stuff.

The all-abilities football team, which is a mixed-gender team that plays footy on the oval, faced the Cranbourne Eagles in the semifinals in August this year. Whilst they were playing they had abuse hurled at them, and I am not just talking any sort of abuse; this was stuff about rape or murder of them and their families. Think about what impact this is going to have on kids that have intellectual disabilities. It has made them completely afraid of going back near the oval. It is a very, very serious issue. There are other user groups as well, such as the Golden Point Cricket Club – they are looking at whether they stay at the venue or not or whether they move to somewhere else – and the Ballarat Swordcraft group, who do re-enactments of different medieval battles and that sort of thing. They are considering whether they stay there, because they have been similarly abused as well.

It is actually quite a serious issue. I have been down to the site myself and I think there is an issue. I know a lot of local residents have expressed a concern. There have been a number of meetings with local police down there as well, but that really has not resulted in an outcome which has meant that user groups can actually use this space as it was intended, as a sports oval, as a community place where people can feel safe and do not have to worry about their safety. As I said, the action that I seek is that I would like the minister to go down there, talk to the user groups, experience for himself what it is like there and perhaps come up with a solution as to how we could resolve this situation so that everyone gets a good outcome here. At the moment no-one wants to use the oval, because of the antisocial behaviour that is happening, but also there are homeless people that clearly need assistance and are not getting the assistance. I ask the minister to intervene.

### Melbourne Cup

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (17:27): (547) My adjournment matter this evening is for the Minister for Racing, and the action that I seek is for the Labor government to end the Melbourne Cup. The Melbourne Cup's days should be numbered. The people of Victoria have begun turning away from this celebration of animal cruelty and gambling. Animal welfare advocates and anti-gambling advocates have tirelessly fought for years with campaigns like the Nup to the Cup campaign to try and get the public and our state government to see that the racing industry is awful and predatory. Why, I ask, is an animal-abusing gambling event a public holiday? Why is that considered normal? The Melbourne Cup's days should be numbered, but it seems like the Labor government can excuse animal cruelty and predatory gambling events wreaking havoc on the lives of Victorians, because they are profitable and give them a lot of benefits and donations. We know – we have heard it here today – that gambling is addictive and dangerous and has no place in our community.

Meanwhile cruel practices like whipping, overbreeding and the slaughter of horses continue to be tolerated by the racing industry all for the sake of a bet. To quote Nup to the Cup:

On average, one horse is killed on Australian racetracks every 2.5 days from racing related injuries – and these are just the deaths we learn of. Plenty more happen in training and trials, or when injured horses are taken from the track to be later killed behind the scenes

There is also a significant rise in acute alcohol intoxication, assault, motor vehicle accidents and family violence on Melbourne Cup Day, as reported by police. Yet we have a Minister for Racing, and whoever holds that portfolio will be sure to cater to the needs of the racing industry faster than any horse can run. We have a Labor government that is so whipped by the industry that it will shirk its responsibilities in order to keep the industry happy. It is time for the Labor government to stand up to the racing industry and to end the Melbourne Cup.

### Police numbers

**Trung LUU** (Western Metropolitan) (17:29): (548) On a brighter note, my adjournment is for the Minister for Police, and the action I seek is for the minister to explore and implement a strategy to retain experienced police officers. At a time when youth crime is running rampant, criminal gangs are shooting each other in the street and the thin blue line is getting thinner by the day, we need not only more police officers but also to retain experienced police officers. However, what we have been seeing is a high number of police officers leaving the police force in recent years.

A recent report states that 20 per cent of police officers are thinking of leaving the force next year. Staff shortages are now reaching crisis level. Police stations are having to close or limit their hours because there are not enough police officers to operate the stations. Still the government are thinking of closing down regional one-man police stations. The government says it is on a recruitment drive, but the reality is that the replacement numbers do not meet the needs. The minister needs to address the problem of experienced police officers wanting to exit the job. Morale is already at a low, and it is only getting lower with new government policies coming into effect – policies like the bail law, where we see criminals again and again back on the street after being charged with multiple offences; policies like raising the age of criminal responsibility – these remove police powers and make police powerless to deal with dangerous and troubled youth; and policies like that for public drunkenness, which will come into effect in coming days and yet the sobering centre is not ready to take anyone. These policies will increase the workload and increase stress while inching back morale. The minister must act now and address the problem to ensure the retention of experienced police officers.

### Timber industry

**Renee HEATH** (Eastern Victoria) (17:31): (549) Gopher Joinery in my electorate is a family-owned business that has been running for 20 years. They manufacture and install timber staircases, doors and other products. They thought that they had until 2030 to transition away from native timber hardwood, and they were completely sidelined when their friend Dan suddenly announced the early closure of the native timber industry.

Mary-Ann and Jude, the owners, contacted my office to share their concerns. There has been no support regarding the Highly Impacted Manufacturers Stream – Timber Supply Chain Resilience Package. This package offers up to \$145,000 worth of support, but the staff from the Department of Jobs, Skills, Industry and Regions could not tell Mary-Ann what support and what transition that included. When she asked the person she spoke to, they said, ‘That is above my pay grade.’ So Mary-Ann, to clarify, said, ‘So you’ve been asked to call my business, inform me of this package, help me with it, but you cannot provide me with any extra information, answers or what that assistance might be?’ There was a pause, and he said, ‘Yes, that’s right.’

The website originally said that the applications closed tonight, but thankfully – when I went and checked it again today – that has been extended until 30 April next year. However, this has still caused an awful lot of anxiety among my constituents. They have received no support in accessing the grants,

and I am sure that many others affected by this closure will be experiencing that too. It is simply not good enough. There is no support, there is not enough transition time and Jude is a quality craftsman that is going to be forced to discontinue his work. Local hardwood is best suited to Victorian use because it is acclimatised. Pine warps, and if you get hardwood from other areas you have to let it sit, because it can warp, buckle or become brittle. We should be using local resources for local construction. Jude and Mary-Ann also asked, 'Where is the timber going to come from now? Is it going to be Tasmania, Indonesia or South America?' From all of these places it is going to have to be stored for longer amounts of time before it is able to be used.

My adjournment matter is for the Minister for Jobs and Industry. So many livelihoods will be lost due to the closure of the native timber industry, and it is causing an enormous amount of distress. The action that I seek is that the minister ensures that the department staff have the proper information, resources and training to provide those affected with the information and support they need in accessing these grants.

### Federal employment legislation

**Bev McARTHUR** (Western Victoria) (17:34): (550) My adjournment matter is for the Minister for Industrial Relations. On 20 October the Victorian government filed a submission with the Senate Education and Employment Legislation Committee inquiry into the Albanese government's Fair Work Legislation Amendment (Closing Loopholes) Bill 2023. The legislation as proposed would inhibit the use of casual employees, independent contractors and labour hire by employers all while giving stronger rights to trade unions and threatening to throw business owners in jail. The Victorian government's submission to the Senate inquiry claims that Victoria – not merely the Victorian government – is strongly supportive of the Commonwealth's bill. This is a bold claim by the government and one that is irreconcilable with public advocacy of the Victorian business community. The Victorian Chamber of Commerce and Industry, for instance, opposes the legislative changes and argues that they will drive up the cost of living and unfairly impact small businesses at a time when they can least afford it.

Indeed the legislation first proposed by the Albanese government, apparently to the delight of their mates in Spring Street, would harm productivity, wage growth, job creation and the flexibility of the labour market. Today, however, we hear from media briefings and direct dealings with some employer groups that Minister Burke may be having second thoughts. For the sake of thousands of small businesses in my electorate, I truly hope that is so, but this is a bill which fundamentally threatens radical change to current industrial relations law.

In advice released by the Business Council of Australia, Stuart Wood AM KC, one of the nation's pre-eminent industrial relations barristers, warned that it would:

... close down casual employment per se for many, even though it's a form of employment enjoyed by a significant and largely stable portion (23 per cent) of Australian workers.

Has the bill actually been profoundly altered, or is this a political operation by federal Labor to split opposition and distract from the business community's growing realisation of the threat it poses? Last week even the Premier of Western Australia wrote to the Prime Minister to plead for reconsideration of the legislation because of its potentially destructive impact on the mining industry. Yet just 11 days ago the Allan government produced a cringeworthy, cheerleading submission for this business-busting bill, probably payback for an increasingly desperate trade union movement facing historic lows in membership. So the question arises: are these changes, so far only briefed vaguely to the media, real or cosmetic? I ask the minister to provide real detail and explain if the Victorian government still supports this assault on employment.

**The PRESIDENT:** Can I suggest it may not be an appropriate action but for the minister to advocate to their federal counterpart to reconsider introducing the bill or something like that. Would that suffice?

**Bev McARTHUR:** Thank you, President. I am open to your suggestion, but we need the minister to provide the detail as to how this bill will affect employment in Victoria, obviously.

**The PRESIDENT:** Given it is a federal bill –

**Bev McARTHUR:** But the state government have put a submission to the inquiry, so they are intimately involved in the whole operation.

**The PRESIDENT:** I do not know if that is the case – and when I say I do not know, that is me saying I do not know if that is the case – but I would suggest that when it comes to a piece of federal legislation or anything that is in the remit of the federal government, probably a good action for an adjournment would be for the Victorian minister to advocate to their counterpart to do or not do something.

**Bev McARTHUR:** Well, President, I am more than happy to suggest that the minister advocate that Victoria does not support this bill and that they advocate on behalf of Victorian employees and employers.

**The PRESIDENT:** Advocate to their federal counterpart – I am happy with that.

### Payroll tax

**Georgie CROZIER** (Southern Metropolitan) (17:39): (551) My adjournment matter is for the attention of the Treasurer, and it goes to the chaotic, unfair and retrospective health tax that he has decided to deploy across Victoria into medical clinics. Not only is it going to hit GPs, it is going to hit other allied health professionals like dentists, physiotherapists and psychologists and those people that are tenanted in medical clinics that provide services to Victorians. Healthcare delivery in this state is critical, and we need to ensure that GP clinics will not close. If this retrospective tax does happen, then it is going to close up to 30 per cent of clinics. How daft a decision is that? The reason the government are doing this is because we are broke and they are trying to grab money from wherever they can, but to tax these medical clinics and cause clinics to close and cause clinics to increase prices – it will be the end of bulk-billing, let us face it – and to increase costs to patients and then push patients into emergency departments is just ridiculous. I received an email today from somebody who said:

... imagine the stress of getting to the point of closure, then having to jump through hoops to prove to the government you are on the verge of closure and then waiting to hear if your bill will be waived. And the unfairness that come with some practices not having to pay the tax while their neighbouring practice does.

That is in response to the letter that the Treasurer wrote on Friday to say that he would have the power to just waive away some of these bills if clinics were to close. This is the chaotic, unfair nature of what is going on. I mean, it is ridiculous that the Treasurer has put himself in this position and not listened to those that have been speaking to him for months and months and months. Yet on Friday he wrote this letter to the GP peak bodies and said, 'Look, I know it's going to close clinics.' This letter is an admission that clinics will close.

If clinics close, then patients will have to go into our already struggling emergency departments. They will not have the same accessibility or equity of care that others do. They will have to travel further in regional Victoria. They will have to wait in long queues again. I heard the Premier this morning talking about the centres they have opened up, but you know if you turn up there after hours with a broken arm you are shunted off to an emergency department because there is no imaging. This is what this government does not understand – the implications of its decisions. So the action I seek is for the Treasurer to explain exactly what criteria he will apply to which clinics will close and which will remain open. As I said, that correspondence that I received earlier today spells it out very clearly:

... the unfairness that come with some practices not having to pay the tax while their neighbouring practice does.

### Global Victoria

**Rachel PAYNE** (South-Eastern Metropolitan) (17:42): (552) My adjournment matter is for the minister for trade and investment Minister Pallas. Global Victoria attended the International Cannabis Business Conference in Berlin earlier this year and even held their own stall, apparently championing Victoria's medicinal cannabis industry. This conference is Europe's longest running and biggest business-to-business trade show and provides what it describes as a 'premiere cannabis business networking environment'. It is fantastic to see the Victorian government take such an opportunity to attract investment into the future of cannabis in the global economy. We know that Victoria spends millions upon millions of taxpayer dollars every year criminalising cannabis – money spent on policing, the criminal justice system and criminal records. What a waste.

Since the Victorian government are so interested in the business of cannabis, I am sure that they are aware that there are hundreds of millions of dollars that we could funnel out of criminal organisations and into a regulated market. We commend the government on taking steps to get a seat at the table of the international business community's conversations on cannabis. The action I seek is that the minister provides information on what Global Victoria learned at this conference and what steps this government is taking to embrace the business opportunities that arise from a regulated cannabis market.

### Payroll tax

**Gaelle BROAD** (Northern Victoria) (17:44): (553) My adjournment matter relates to the Labor government's decision to introduce a retrospective tax on GPs and other health professionals, and the action I seek is for the Treasurer to immediately withdraw this tax. Recently the State Revenue Office began issuing notices to medical practices, classifying tenanted doctors, dentists, physiotherapists and other allied health practitioners as employees rather than contractors for the purposes of payroll tax. Being viewed as employees rather than tenants means a significant increase in payroll tax. The Victorian Nationals and Liberals hosted GPs and representatives from peak medical bodies in Parliament to hear firsthand the detrimental impact of Labor's health tax. The Labor government is backdating the tax owed by up to five years, resulting in tax bills in the hundreds of thousands of dollars impacting the viability of medical clinics across Victoria. A retrospective tax is a desperate attempt to raise funds by a government that has sent Victoria broke. One clinic received an \$800,000 bill. For clinics to remain viable these costs will flow through to patients, making health care less affordable. It will mean higher out-of-pocket costs for patients and fewer bulk-billing clinics operating in Victoria.

I note the Treasurer took the very unusual step to write directly to peak doctor groups offering to reduce or waive tax liabilities for any clinics facing insolvency as a result of this tax. As reported in the *Herald Sun* today, it is a move that threatens to undermine the tax and has prompted more anger and confusion, as some struggling doctors will be forced to pay up while others are bailed out. It is a clear admission that this health tax is unfair and will threaten bulk-billing and force the closure of GP clinics. The Royal Australian College of General Practitioners has warned that up to 30 per cent of GPs could close at a time when there is a significant shortage of doctors across Victoria, especially in regional areas. Patients will have to travel further for care or go to emergency departments for medical attention – services that are already stretched.

Other states have made it clear that they will not introduce this tax, and Victoria should follow their example. Victoria's health system is already under pressure, and this tax will only make it harder to see a doctor. I note that nearly 4000 people have already signed a petition to stop the introduction of payroll tax on contractors, including doctors. So far this government has refused to listen to calls from the Australian Medical Association, Australian GP Alliance and Primary Care Business Council to protect Victorian healthcare providers from this health tax. The Treasurer's letter to peak doctor groups shows that this tax is completely unworkable and needs to be scrapped. It is already hard to see a doctor in many regional areas, and many rely on bulk-billing services to see a doctor. If the Labor



government does not listen to the feedback, thousands of Victorians will be left without vital primary health care services. I call upon the Treasurer to end the confusion and immediately scrap this tax.

### **Walhalla Goldfields Railway**

**Melina BATH** (Eastern Victoria) (17:47): (554) My adjournment matter this evening is for the Minister for Tourism, Sport and Major Events Minister Dimopoulos in the other place, and it relates to a beautiful hamlet and indeed a wonderful tourist venture called the Walhalla Goldfields Railway. The action I seek from the minister is to assist Walhalla Goldfields Railway in funding a feasibility study for the extension of the line to go all the way to Erica. It is the most beautiful hamlet that you will ever see. It is trapped in time, but what is live and well is this lovely railway. It is run overwhelmingly via volunteers – and indeed I received a letter from Graeme Skinner, who is the secretary of the railway group – retired engineers, conductors and track maintenance volunteers that work in all aspects of it to keep it alive and flourishing. Indeed it has been going now for 30 years. I took my once small children, and now I am hoping to one day take my grandchildren on it – not just yet. It is a wonderful, wonderful place.

What they have been able to access is some ex-Bellarine Peninsula railway track, and this hard track is sufficient to realise their dream to go all the way to the terminus at Erica. However, they need a feasibility study, and this is the step that I am asking the minister to gainfully and pleasantly consider. They have been speaking to Federation University about how they can assist in the completion of this study to then go ahead with the business case and the completion of the track.

I have to say, if you have not been there, it is a wonderful area. It is nestled in time. It certainly has an amazing pub, the Star Hotel. It is near the Erica walkways and track. It is near Mount Baw Baw. It is a lovely stepping stone. What we do know of this area is that it has been smashed in recent years, not only from COVID but from bushfires. The little town was shut down through bushfires. We have seen the cancellation of the Commonwealth Games. This is an opportunity for the minister to put his money literally where his offer is about tourism funding and support this great railway.

### **Cloverton infrastructure**

**Evan MULHOLLAND** (Northern Metropolitan) (17:49): (555) My adjournment is directed to the Minister for Planning and Minister for the Suburbs, and the action I seek of the minister is to explain what the government is doing to ensure that the growing suburb of Cloverton in my electorate will have adequate infrastructure before residents move in. According to reports, Cloverton could service a population of 380,000 people. That is in the order of an additional Canberra in the northern suburbs. On many occasions I have called for infrastructure – community infrastructure and public transport infrastructure – to be delivered in advance of communities moving in, including in this place. Whilst there are many occasions Labor have failed in this regard, we cannot do anything about the past, but we do have an opportunity to do something now in this developing area. We do not want a situation in Cloverton like that taking place in Kalkallo, where residents spend an inordinate amount of time in their cars – up to an hour and a half – just to get out of their housing estate.

I want to applaud local Ally Watson for her work in leading a petition calling on the state government to duplicate Donnybrook Road, which was even sponsored by the ALP member for Kalkallo in the Legislative Assembly. They are broke, so they do not have any money to duplicate Donnybrook Road. The member was happy to sponsor a petition calling on her own government, in which she serves as a member of the cabinet, to duplicate Donnybrook Road, but they cannot, because they are broke. The reality is that locals like Ally should not have to beg for the government to provide infrastructure like the duplication of Donnybrook Road, which is basically an old farm track with tens of thousands of homes built across it. Locals should not have to beg. They rightly expect their infrastructure to be delivered before they move in or as they move in. 380,000 people in one city – the Northern Hospital is already under stress, and it is expected to serve an additional Canberra-sized population?

I do seek the action of the minister to explain what steps she is taking to ensure that residents have access to roads and have access to public transport. We see Wallan and Donnybrook – the area that was promised Lockerbie station a long time ago – still serviced by V/Line. It is the fastest growing commuter rail service in Australia only because the government has failed to deliver electrification to all these growing suburbs tens of thousands of people are moving into. Where are the schools going to come from? Where is the amenity going to come from? I seek action to know what planning instruments the government will use to ensure that appropriate infrastructure is in place and what funding will be allocated for this purpose.

### Responses

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (17:52): There were 17 matters in the adjournment debate this evening, all of which will be referred to the relevant ministers.

**The PRESIDENT:** I alert the house that I did review the answers from the Minister for Mental Health to Ms Crozier in question time today. I still believe the minister was relevant in both her answers to the questions, so I will not be asking for a written answer from that minister. The house stands adjourned.

**House adjourned 5:53 pm.**