

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Tuesday, 6 March 2018

(Extract from book 3)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable KEN LAY, AO, APM

The ministry (from 16 October 2017)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier, Minister for Education and Minister for Emergency Services	The Hon. J. A. Merlino, MP
Treasurer and Minister for Resources	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Industry and Employment	The Hon. B. A. Carroll, MP
Minister for Trade and Investment, Minister for Innovation and the Digital Economy, and Minister for Small Business	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D' Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Aboriginal Affairs, Minister for Industrial Relations, Minister for Women and Minister for the Prevention of Family Violence	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation, and Minister for Local Government	The Hon. M. Kairouz, MP
Minister for Families and Children, Minister for Early Childhood Education and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Training and Skills, and Minister for Corrections	The Hon. G. A. Tierney, MLC
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Thomas, MP

Legislative Council committees

Privileges Committee — Ms Mikakos, Mr O’Sullivan, Ms Pulford, Mr Purcell, Mr Rich-Phillips and Ms Wooldridge.

Procedure Committee — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

Legislative Council standing committees

Standing Committee on the Economy and Infrastructure — Mr Bourman, Ms Dunn, Mr Eideh, Mr Finn, Mr Gepp, Mr Leane, #Mr Melhem, Mr Ondarchie, Mr O’Sullivan and #Mr Rich-Phillips.

Standing Committee on the Environment and Planning — Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, #Ms Dunn, Mr Elasmr, Mr Melhem, #Mr Purcell, #Mr Ramsay, #Dr Ratnam, Ms Shing, #Ms Symes, Ms Truong and Mr Young.

Standing Committee on Legal and Social Issues — #Ms Crozier, #Mr Elasmr, Ms Fitzherbert, Mr Morris, Mr Mulino, Ms Patten, Mrs Peulich, #Dr Ratnam, #Mr Rich-Phillips, Mr Somyurek, Ms Springle and Ms Symes.

participating members

Legislative Council select committees

Port of Melbourne Select Committee — Mr Mulino, Mr Ondarchie, Mr Purcell, Mr Rich-Phillips, Ms Shing and Ms Tierney.

Fire Services Bill Select Committee — Ms Lovell, Mr Melhem, Mr Mulino, Mr O’Sullivan, Mr Rich Phillips, Ms Shing and Mr Young.

Joint committees

Accountability and Oversight Committee — (*Council*): Mr O’Sullivan, Mr Purcell and Ms Symes. (*Assembly*): Mr Angus, Mr Gidley, Mr Noonan and Ms Thomson.

Dispute Resolution Committee — (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge. (*Assembly*): Ms Allan, Mr Clark, Ms Hutchins, Mr Merlino, Mr M. O’Brien, Mr Pakula and Mr Walsh.

Economic, Education, Jobs and Skills Committee — (*Council*): Mr Bourman, Mr Elasmr and Mr Melhem. (*Assembly*): Mr Crisp, Mrs Fyffe, Ms Garrett and Ms Ryall.

Electoral Matters Committee — (*Council*): Ms Bath, Ms Patten and Mr Somyurek. (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon and Ms Spence.

Environment, Natural Resources and Regional Development Committee — (*Council*): Mr O’Sullivan, Mr Ramsay and Mr Young. (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan.

Family and Community Development Committee — (*Council*): Dr Carling-Jenkins and Mr Finn. (*Assembly*): Ms Britnell, Ms Couzens, Mr Edbrooke, Ms Edwards and Ms McLeish.

House Committee — (*Council*): The President (*ex officio*), Mr Eideh, Ms Lovell, Mr Mulino and Mr Young. (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson.

Independent Broad-based Anti-corruption Commission Committee — (*Council*): Mr Ramsay and Ms Symes. (*Assembly*): Mr Hibbins, Mr D. O’Brien, Mr Richardson, Ms Thomson and Mr Wells.

Law Reform, Road and Community Safety Committee — (*Council*): Mr Gepp and Ms Patten. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

Public Accounts and Estimates Committee — (*Council*): Ms Patten, Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O’Brien, Mr Pearson, Mr T. Smith and Ms Ward.

Scrutiny of Acts and Regulations Committee — (*Council*): Ms Bath and Mr Dalla-Riva. (*Assembly*): Ms Blandthorn, Mr J. Bull, Mr Dimopoulos, Ms Kilkenny and Mr Pesutto.

Heads of parliamentary departments

Assembly — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

Council — Acting Clerk of the Parliaments and Clerk of the Legislative Council: Mr A. Young

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

President:

The Hon. B. N. ATKINSON

Deputy President:

Mr K. EIDEH

Acting Presidents:

Ms Dunn, Mr Elasmr, Mr Melhem, Mr Morris, Ms Patten, Mr Purcell, Mr Ramsay

Leader of the Government:

The Hon. G. JENNINGS

Deputy Leader of the Government:

The Hon. J. L. PULFORD

Leader of the Opposition:

The Hon. M. WOOLDRIDGE

Deputy Leader of the Opposition:

The Hon. G. K. RICH-PHILLIPS

Leader of The Nationals:

Mr L. B. O'SULLIVAN

Leader of the Greens:

Dr S. RATNAM

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John ¹	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina ²	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Brien, Mr Daniel David ⁸	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel ³	Western Metropolitan	AC	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	O'Sullivan, Luke Bartholomew ⁹	Northern Victoria	Nats
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Patten, Ms Fiona ¹⁰	Northern Metropolitan	RV
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin ⁴	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Pulford, Ms Jaala Lee	Western Victoria	ALP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Purcell, Mr James	Western Victoria	VILJ
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ratnam, Dr Samantha Shantini ¹¹	Northern Metropolitan	Greens
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Gepp, Mr Mark ⁵	Northern Victoria	ALP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred ⁷	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph ⁶	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Truong, Ms Huong ¹²	Western Metropolitan	Greens
Melhem, Mr Cesar	Western Metropolitan	ALP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
			Young, Mr Daniel	Northern Victoria	SFFP

¹ Resigned 28 September 2017

² Appointed 15 April 2015

³ DLP until 26 June 2017

⁴ Resigned 27 May 2016

⁵ Appointed 7 June 2017

⁶ Resigned 6 April 2017

⁷ Resigned 9 February 2018

⁸ Resigned 25 February 2015

⁹ Appointed 12 October 2016

¹⁰ ASP until 16 January 2018

¹¹ Appointed 18 October 2017

¹² Appointed 21 February 2018

PARTY ABBREVIATIONS

AC — Australian Conservatives; ALP — Labor Party; ASP — Australian Sex Party;
DLP — Democratic Labour Party; Greens — Australian Greens;
LP — Liberal Party; Nats — The Nationals; RV — Reason Victoria
SFFP — Shooters, Fishers and Farmers Party; VILJ — Vote 1 Local Jobs

CONTENTS

TUESDAY, 6 MARCH 2018

ACKNOWLEDGEMENT OF COUNTRY	653	State care leavers	679
ROYAL ASSENT	653	Wild dog control	679, 680
PETITIONS		Written responses	680, 681
<i>South Gippsland bus services</i>	653	QUESTIONS ON NOTICE	
<i>Firearm regulation</i>	653	<i>Answers</i>	680
<i>Anzac Day</i>	654	RULINGS BY THE CHAIR	
<i>Belgrave railway station car parking</i>	654	<i>Questions on notice</i>	680
<i>Public housing</i>	654	CONSTITUENCY QUESTIONS	
<i>Mornington Peninsula public transport</i>	654	<i>Northern Victoria Region</i>	681
SCRUTINY OF ACTS AND REGULATIONS		<i>Western Victoria Region</i>	682
COMMITTEE		<i>Eastern Metropolitan Region</i>	682, 683
<i>Alert Digest No. 3</i>	655	<i>Western Metropolitan Region</i>	682, 683
STANDING COMMITTEE ON LEGAL AND SOCIAL		GAMBLING LEGISLATION AMENDMENT BILL 2017	
ISSUES		<i>Second reading</i>	702
<i>Youth justice centres</i>	655	<i>Committee</i>	712
<i>Reporting date</i>	659	<i>Third reading</i>	719
PAPERS	658	MAJOR EVENTS LEGISLATION AMENDMENT	
NOTICES OF MOTION	659	(TICKET SCALPING AND OTHER MATTERS)	
BUSINESS OF THE HOUSE		BILL 2017	
<i>General business</i>	659	<i>Second reading</i>	719
STANDING COMMITTEE ON THE ENVIRONMENT		ADJOURNMENT	
AND PLANNING		<i>Sunbury Road duplication</i>	724
<i>Membership</i>	659	<i>Northern Metropolitan Region small business</i>	724
MEMBERS STATEMENTS		<i>E-cigarettes</i>	725
<i>Mitchell Shire Suicide Prevention Network</i>	660	<i>Goulburn Valley Health</i>	725
<i>Youth justice system</i>	660	<i>Nillumbik public land</i>	726
<i>International Women's Day</i>	660	<i>Wind energy</i>	726
<i>Employment policy</i>	661	<i>Fussell–Victoria streets, Ballarat East</i>	727
<i>SPC Ardmona</i>	661	<i>North-east rail line</i>	727
<i>Men's sheds</i>	661	<i>Land 400 project</i>	728
<i>Richmond Union Cricket Club</i>	661	<i>Morwell power station site</i>	728
<i>TAFE skills and jobs centres</i>	662	<i>Port Phillip homelessness</i>	729
<i>Middle East trade</i>	662	<i>Responses</i>	729
<i>St Patrick's College, Ballarat</i>	662		
<i>Mair Street, Ballarat</i>	662		
<i>Victorian Gundog Club</i>	662		
<i>Bairnsdale Dragway</i>	662		
<i>Regional rail services</i>	663		
<i>Nillumbik public land</i>	663		
<i>Growing Suburbs Fund</i>	663		
<i>Werribee financial counselling service</i>	664		
<i>Community safety</i>	664		
<i>Murray Meander</i>	664		
RACING AMENDMENT (MODERNISATION)			
BILL 2017			
<i>Second reading</i>	665		
<i>Committee</i>	701		
<i>Third reading</i>	702		
QUESTIONS WITHOUT NOTICE			
<i>Metropolitan Fire Brigade enterprise</i>			
<i>bargaining agreement</i>	674, 675		
<i>Fire services equity and diversity review</i>	675		
<i>Melbourne Metro rail project</i>	676		
<i>Victoria Police social media policy</i>	677		
<i>Public service social media policy</i>	677, 678		
<i>Prisoners with disabilities</i>	678, 679		

Tuesday, 6 March 2018

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 12.05 p.m. and read the prayer.

ACKNOWLEDGEMENT OF COUNTRY

The PRESIDENT (12:05) — On behalf of the Victorian state Parliament I acknowledge the Aboriginal peoples, the traditional custodians of this land which has served as a significant meeting place for the first people of Victoria. I acknowledge and pay respect to the elders of the Aboriginal nations in Victoria past and present and welcome any elders and members of the Aboriginal communities who may visit or participate in the events or proceedings of the Parliament this week.

ROYAL ASSENT

Message read advising royal assent on 27 February to:

Bail Amendment (Stage Two) Act 2018

Health and Child Wellbeing Legislation Amendment Act 2018

Justice Legislation Amendment (Victims) Act 2018

Oaths and Affirmations Act 2018

Planning and Environment Amendment (Public Land Contributions) Act 2018

Road Safety Amendment (Automated Vehicles) Act 2018.

PETITIONS

Following petitions presented to house:

South Gippsland bus services

Legislative Council electronic petition:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the absence of local public bus services for South Gippsland and the paucity of other bus services.

The petitioners therefore request that the Legislative Council call on the government to allocate equitable funding for the provision of local bus services or a Telebus service for South Gippsland, in particular for the towns of Leongatha and Korumburra, and for improvement in the inadequate cross-regional and Melbourne services.

By Ms BATH (Eastern Victoria) (218 signatures).

Laid on table.

Firearm regulation

Legislative Council electronic petition:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the flawed regulatory impact statement process for the proposed Victorian Firearms Regulations 2018, particularly —

- (1) the proposed impost on not-for-profit re-enactment groups of between \$333.90 and \$431.10 per populous place permit, where currently there is no cost;
- (2) the flow-on impact of these fees on community, charitable, educational, historic and commemorative bodies which engage re-enactment groups at minimal or no cost currently;
- (3) the added difficulty imposed on individuals participating in the not-for-profit groups, who pay for memberships, insurance and all their historically accurate reproduction and/or original equipment, including firearms, in order to participate in re-enactment, by the heavy increase in fees for category D and E licences from \$253.40 to \$310.40;
- (4) the likely termination of re-enactor involvement in community, charitable, educational, historic and commemorative events due to the above cost factors, should the regulations be made as proposed; and
- (5) the complete lack of consultation in the regulatory stakeholder review process prior to the release of the regulatory impact statement with any re-enactment peak body or re-enactment group using firearms.

The petitioners therefore request that the Legislative Council call on the government to ensure that the Victorian Firearms Regulations 2018 does not financially penalise not-for-profit re-enactment groups and their members. In particular to —

- (1) waive proposed fees for populous place permits for groups; and
- (2) ensure that there are no licence fee increases for individuals who need firearms licenses for re-enactments.

Further, that direction is given to the Department of Justice and Regulation and to the licensing and regulation division of Victoria Police to engage with re-enactor peak bodies and re-enactor groups using firearms and address them as stakeholders, particularly regarding any future proposed changes to the regulatory instruments that impact on these groups.

By Mr BOURMAN (Eastern Victoria) (245 signatures).

Laid on table.

Anzac Day

To the Honourable the President and members of the Legislative Council assembled in Parliament:

We, the undersigned citizens of Victoria, call on the Legislative Council of Victoria to note:

1. it has been reported that, in a Premier's department's online survey, Victorians were presented with the statement: 'The period between 1790 and 1930 where Aboriginal Australians defended their lands, kinships and customs from European invasion/settlement should be reflected in the Anzac Day ceremony', and
2. only 31 per cent of the 509 Victorians who responded agreed with the statement.

We therefore call upon the Andrews Labor government to not change Anzac Day, a day which honours all those who have served this great nation in times of war — men and women of every colour and creed.

**By Mr DAVIS (Southern Metropolitan)
(18 signatures).**

Laid on table.

Belgrave railway station car parking

Legislative Council electronic petition:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the inaction of Daniel Andrews and James Merlino to improve car parking in and around the Belgrave railway station and retail precinct, which is impacting commuters, traders and tourists alike.

The petitioners respectively request that the Legislative Council call on the Andrews Labor government to improve parking in Belgrave, to support the local community and traders and encourage tourists to visit the area.

**By Mr O'DONOHUE (Eastern Victoria)
(29 signatures).**

Laid on table.

Public housing

Legislative Council electronic petition:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council serious concerns regarding the approach being taken to the renewal of public housing by the Department of Health and Human Services at estates across Melbourne. In particular, development frameworks that disregard local contexts are being developed in order to attract private residential developers to purchase and develop public land with minimal increases in the number of public tenants housed as a result. In order to achieve the sale and subsequent overdevelopment of these significant sites, rezoning is proposed that will disenfranchise existing communities and tenants. Potential future productive public uses of these assets, including increased public housing, is being traded away even though the asset renewal

issues being addressed have been apparent for many years and, so, should have been subject to normal, cyclical asset renewal funding. There is, as such, no compelling policy reason for the approach being taken nor justification for the associated large-scale transfer of public land to private ownership.

The petitioners therefore request that the Legislative Council support a motion requiring the Department of Health and Human Services and the state government to redesign the current public housing renewal project to ensure —

- 1) a more substantial public housing outcome;
- 2) no transfer of public land to private ownership; and
- 3) the protection of community interests through the retention of third-party appeal rights and local councils as the responsible planning authorities.

**By Ms PENNICUIK (Southern Metropolitan)
(117 signatures).**

Laid on table.

**Ordered to be considered next day on motion of
Ms PENNICUIK (Southern Metropolitan).**

Mornington Peninsula public transport

Legislative Council electronic petition:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the legacy of underinvestment in public transport services on the Mornington Peninsula.

The petitioners therefore request that the Legislative Council call on the government to undertake a complete service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, including but not limited to —

- (1) bus route changes to ensure all business, commercial, educational and all residential areas are properly serviced with the timetable they need, and in particular —
 - (a) bringing the bus route 788 (Frankston to Portsea) to a 20-minute timetable;
 - (b) extending the bus route 783 (Frankston to Hastings) service; and
 - (c) reconfiguring the Mornington North bus services;
- (2) finding and investing the \$6 million allocated in the 2014 budget for Mornington Peninsula bus infrastructure, which has never been seen;
- (3) providing a direct bus access to Frankston Hospital from all points around the Mornington Peninsula;
- (4) providing a cross-peninsula service from Hastings to Rosebud, and another from Hastings to Mornington;

- (5) providing bus services to our key tourism destinations with intra-peninsula shuttles in peak season;
- (6) provision of express commuter services of major bus routes directly to Frankston station and Monash University Peninsula campus; and
- (7) updating all bus route signage to reflect current standards across all bus routes.

By Mr O'DONOHUE (Eastern Victoria)
(157 signatures).

Laid on table.

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE**

Alert Digest No. 3

Mr DALLA-RIVA (Eastern Metropolitan)
**presented *Alert Digest No. 3 of 2018*, including
appendices.**

Laid on table.

Ordered to be published.

**STANDING COMMITTEE ON LEGAL AND
SOCIAL ISSUES**

Youth justice centres

Ms FITZHERBERT (Southern Metropolitan)
**presented report on inquiry into youth justice
centres in Victoria, including appendices and
minority reports, together with transcripts of
evidence.**

Laid on table.

Ordered that report be published.

Ms FITZHERBERT (Southern Metropolitan)
(12:12) — I move:

That the Council take note of the report.

In moving this report I want to from the outset give thanks to Patrick O'Brien, Michelle Kurrle and Prue Purdey, who assisted us so ably in our work. I also wish to thank every member of the committee for their contribution. We are grateful to those who work in and with the youth justice system who appeared and made submissions.

The youth justice system should facilitate community safety as well as accountability and rehabilitation for young people. By November 2016 it was clear that this was not happening. We saw escapes, assaults and riots,

and I note that Victoria has the highest rate of assaults in youth custody. There are other indicators, which you will read in the report.

The approach of the government to this inquiry was to deny, delay and block attempts to scrutinise, but today we announce 33 findings and 39 recommendations. The report reflects issues across the system — from crime prevention and diversion programs to delays in the Children's Court, issues in youth justice centres and then what happens when young people leave detention. Findings include the detrimental effect of high staff turnover and absenteeism; a breakdown in professional relationships between youth justice centre staff and young people; excessive use of isolation and lockdown, often due to staff shortages; vastly inadequate mental health services for young offenders; insufficient detox services for young offenders; and improper use of isolation and deficient record keeping about it by the Department of Health and Human Services.

I have spoken here before of the isolation records that the committee received, which amounted to thousands of individual pieces of data in hard copy form in a box, in no particular order. While there are obligations under law and under departmental policy to keep records in a prescribed way, this is at best appalling negligence. On 22 March, as our report was being finalised, we received an undated letter from the Department of Justice and Regulation that answered various questions that we had asked over a number of months, and this is in the report as an appendix. I note the letter explains recent changes to the isolation register, which has been updated to record reasons for isolation based on the obligation under section 488 of the Children, Youth and Families Act 2005. I also note the comments in relation to lockdown data and in particular that lockdown data is now being recorded electronically.

The Department of Justice and Regulation letter also gives the most up-to-date figures on the use of lockdowns at Parkville and Malmsbury, presumably based on the new electronic records system. It shows extraordinary growth. In May and June 2017 there were 360 lockdown episodes at Parkville and 737 at Malmsbury, for a total of 1097, which involved 238 young people. In October to December 2017 there were 3295 lockdown episodes at Parkville and 1472 at Malmsbury, for a total of 4767, involving 326 young people. The unanswered question, of course, is whether there is growth in the use of lockdowns or whether it is just better recorded — or perhaps both.

In the short time available to me it is not possible to go through all of our recommendations, but I want to single out just one. The committee recommends a

broader assessment for young people entering youth justice centres. Right now young people have a health risk assessment to see whether it is necessary to send them to a health facility rather than custody. Admission staff need to assess whether they seem substance affected or injured. If there are mental health or physical health problems or if abuse by police is claimed, a further health assessment is required. Recommendation 20 is:

That screening and assessment procedures for all young people who come into contact with the youth justice system be strengthened in areas including (but not limited to): physical and mental health; cognitive impairment; education; substance misuse; risk to and from others.

We think this will be better for staff, for the young person and for the goal of rehabilitation.

Under the Andrews government the approach to youth justice has been panicked and reactive rather than strategic. I hope this report provides some of the thinking that is needed to improve our youth justice system inside and outside of youth justice centres. I commend the report and look forward to the government's response.

Ms SPRINGLE (South Eastern Metropolitan) (12:16) — I too would like to make a brief contribution on this report. I would like to start by thanking the staff — the long-suffering staff of this committee — who have seen through some quite turbulent inquiries with us over the last three and a bit years. This particular inquiry has extended far beyond what we thought it might. I suppose that is indicative of how volatile this issue is. So I do commend the staff on the way they have handled themselves and their commitment to giving us support in that way. I will have more to say on this report at a later date, and I expect that I will make several statements on reports on this particular one.

My takeaway, though, for this 1 minute that I have, is that — I will be honest — I was pleasantly surprised at how we were able to work together on this issue. It is no surprise to this chamber that I have very specific views around the issue of youth justice, as other people do in this place, but we were by and large able to set them aside during this inquiry and work together in a collaborative sense most of the time. So I thank my colleagues on the committee for that because it could have been different and it was not.

I will also say that I do not feel like the recommendations go far enough. This is a consensus report, and I think given how far in opposite directions some of us are on the spectrum of how we feel about

this issue we did quite well. But from my perspective there are things that we could be doing over and above to make this situation better. By and large, though, I thank everyone for their efforts. I commend the report to the house.

Ms CROZIER (Southern Metropolitan) (12:18) — I am pleased to rise to make a few remarks in relation to this inquiry and its report. As Ms Springle has just highlighted, the committee worked very hard and collaboratively to get the results we have today. I thank all members as well as the secretariat. One of the main objectives of the Victorian youth justice system is to, among other things, engender public support and confidence in the youth justice service. Victoria's youth justice system was once regarded as being an international and national leader in this space. It no longer is. And as we have seen over recent times, it is in complete disarray and is a mess.

We heard from a number of witnesses who gave very profound and significant evidence to the committee to highlight the issues that the committee was dealing with. The evidence from Mr Brendan Murray, in relation to which there was an interim report tabled in this house in December and a referral to the Ombudsman, shows just the extent of the issues that have occurred in recent times.

But of course we have had very alarming and significant issues around riots, the destruction of youth justice facilities, mass escapes, failures of court cases and refusal by this government and the minister to address the concerns. I think many of those concerns, which were highlighted by those witnesses that came before us, including the youth justice workers — not all of those could come before the committee — were about the safety and welfare of their colleagues. Of course that has been highlighted in recent times with the horrendous and horrific bashing with a guitar of a female youth justice worker in Malmsbury by a young offender, just in January. So these are really concerns about assaults.

Ms Fitzherbert referred to the number of lockdowns because of staff shortages. There are a lot of findings and recommendations in this report. I would urge the government to look at this inquiry and follow the path of what the report says and implement these recommendations.

Ms SYMES (Northern Victoria) (12:20) — I too would like to make a brief contribution on the tabling of the report today. I think I spoke also on the referral of this reference to the Legal and Social Issues Committee at the time and did raise our concerns regarding the

political motivation of the inquiry. But I would say that stakeholders and indeed our very hardworking secretariat did their best to ensure that the inquiry made a positive contribution to youth justice in Victoria. So I would like to extend my thanks and gratitude to everyone who participated in this inquiry with submissions or by coming along to hearings. We did end up with a consensus report, and like other speakers today I would like to thank the other members of the committee for the respectful debates that we had. This report has findings and recommendations that largely replicate the recommendations of the Armytage and Ogloff report. People who have been following the justice space will not find anything particularly new and enlightening in the report, but I would say that I personally found it quite useful and have a much deeper understanding of this space.

The hearings for the current inquiry concluded some months ago, and the Department of Justice and Regulation has implemented many changes since it assumed responsibility for this policy area. In August 2017 the government released the Ogloff-Armytage report. It accepted or accepted in principle all 126 recommendations and committed \$50 million to respond to the most pressing recommendations. That investment will support a new custodial operating model to better manage young people in custody, greater workforce capability by providing better training and a targeted recruitment campaign, 21 additional safety and emergency response team staff and a new risk and needs assessment system to reduce the risk of reoffending, and it addresses Aboriginal over-representation by employing additional Aboriginal liaison officers. Since the inquiry concluded it has become evident that the government's changes in youth justice have had a stabilising effect, and we are committed to continuing in that regard.

Mrs PEULICH (South Eastern Metropolitan) (12:22) — I wish to make a couple of brief comments. No doubt many of our contributions in this chamber relate to the central matter under investigation here, and that is the experience of children and young children, and especially those who are vulnerable, who come into contact with youth justice. Of course the report was endorsed by all parties. For newer members of this Parliament that may be a unique experience, but let me say for those of us who have been around the block a few times that many and some of the best reports have been supported by all political parties.

That is the difference between having an expert committee inquiry outside the Parliament and an all-party inquiry which sets a blueprint for the future of a particular issue, of services or of a policy area. That is

where Ms Symes I think has not acknowledged the importance of this all-party committee report as setting a blueprint for the future and showing an all-party commitment towards that direction. Regarding the comment that it was politically motivated, most things that happen in Parliament are politically motivated. We are politicians representing issues of policy, of concern, in the interest of the community.

But I think what was interesting was that members of the left and of the right converged on genuine interests of common ground, and that was in the interest of young people doing better. That is where the comments of the Greens member, Ms Springle, about the broader recommendations are important. I think the report contains some very important recommendations and analysis of the failures of the government in the management of the youth justice system, but clearly what is needed is spelt out there. What is needed are further programs to improve the outcomes for young people, in particular those who the Ombudsman reported as being particularly vulnerable. I would like to commend the Ombudsman for actually being an instigator of this consideration, and I commend all of those who participated in the report.

Mr MULINO (Eastern Victoria) (12:25) — Can I also, as other speakers have, thank the secretariat for their very hard work over a long period of time on this inquiry. I also thank those who made submissions to this inquiry in written form, those who came to give evidence and those who participated in a number of site visits. As other speakers on this report have indicated, there was a degree of consensus. I think all of us came out of this — and this is reflected in the report — acknowledging that there are a number of long-term trends in what is a very complicated social policy area. We also acknowledged in the report that the overall rate of youth crime has declined over recent years but that the nature of offending has changed. There is a small cohort of offenders who are committing somewhat different crimes than was the case some years earlier.

I want to put on the record the context in which this report was undertaken, part of which is that we inherited a very complicated situation. We inherited a number of facilities that the Ombudsman indicated were not fit for purpose. We inherited long-term trends in youth crime and in the profile of crime. We inherited long-term trends in the profile of remand that had been changing for a long period of time and that required action during this term. We also inherited underinvestment in workforce capability, and the minister responded to that situation by undertaking the first comprehensive independent review of Victoria's

youth justice system in 17 years, undertaken by James Ogloff and Penny Armytage.

Honourable members interjecting.

Mr MULINO — Those opposite do not like to hear this, but many of the recommendations from that were reflected in our report. This report builds on and reflects that work that was commissioned by the minister. This government accepted all of the recommendations arising from that and committed \$50 million towards workforce enhancement and to build on rehabilitation services — the biggest expansion ever — and of course we also have the over \$200 million for Cherry Creek. So there is significant work going on in this area responding to the complex social problems identified in this report.

Mr MORRIS (Western Victoria) (12:27) — I will make a contribution to the motion to take note of this report as well. I would also like to thank for their work the secretariat — Patrick O'Brien, Prue Purdey and Michelle Kurrle — who very ably assisted our committee through this very complex inquiry. I would also commend the chair of the committee, Ms Fitzherbert, on her leadership of the committee throughout this process, through which we did come to an agreement on a report that does certainly spell out the very, very real issues and failings that we are seeing in youth justice at the moment. Having listened to the contributions of Ms Symes and Mr Mulino, Ms Symes effectively said, 'There's nothing to see here; don't read the report', and Mr Mulino said, 'Yes, there are problems, but they are not of our making; they go way back'.

I must say that what we have seen in youth justice — an explosion of violence, extreme staff turnover, absenteeism and many of the other issues — has only occurred since Daniel Andrews became Premier and the absent minister became the minister. I think it is just another show of the disdain that the minister has for youth justice that she was not even present in the chamber during the tabling of the report. She would have well known that this report was going to be tabled. It is just a continuation of the disdain that she has shown for this Parliament, the community and her portfolio areas that she was not present in the chamber during the tabling of this report.

Unlike Ms Symes, I do encourage everybody to read this report in depth to understand the massive failings and challenges that youth justice has seen due to the lack of leadership of the current minister. There are significant issues. This inquiry and this report are extremely important in highlighting many of these very

important issues that the government would rather have seen buried than brought to the light of day, so I certainly commend the chair on her leadership in this and encourage everyone to read the report.

Motion agreed to.

PAPERS

Laid on table by Clerk:

Crown Land (Reserves) Act 1978 — Ministerial Orders for the following approvals —

A lease in relation to Gillott Reserve, dated 26 February 2018.

A lease in relation to Gresswell Habitat Link, dated 28 February 2018.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes —

Kingston Planning Scheme — Amendment C162.

Melbourne Planning Scheme — Amendment C321.

Stonnington Planning Scheme — Amendments C255 and C257.

Victoria Planning Provisions — Amendment VC144.

Statutory Rules under the following Acts of Parliament —

Children, Youth and Families Act 2005 — No. 15.

Liquor Control Reform Act 1998 — No. 16.

Road Safety Act 1986 — No. 17.

Victorian Civil and Administrative Tribunal Act 1998 — No. 18.

Subordinate Legislation Act 1994 —

Documents under section 15 in respect of Statutory Rule Nos. 5, 8, 15 to 17, 23 and 24.

Legislative instruments and related documents under section 16B in respect of —

Transport (Compliance and Miscellaneous) Act 1983 — Conditions contained in the Victorian Fares and Ticketing Manual, dated 27 February 2018.

Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017 — Specification of Railway Stations for the Purposes of the Definition of 'Compulsory Ticket Area', dated 15 February 2018.

Renewable Energy (Jobs and Investment) Act 2017 — Notice of Capacity Determination under Section 9, dated 27 December 2017.

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Amendment Notice, Gazetted 19 February 2018.

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

Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Act 2017 — 28 February 2018 (*Gazette No. S71, 27 February 2018*).

NOTICES OF MOTION

Notices of motion given.

Mr O'SULLIVAN having given notice of motion:

The PRESIDENT — Mr O'Sullivan, I noticed along the way that you left out a couple of words. Is the written version that I have the version or is it what you said?

Mr O'Sullivan — There were a couple of town names that referred to New South Wales; I just did not include those.

The PRESIDENT — I do not want to seem precious, but you left out 'Liberals' in one. Perhaps more critical was that you actually left out 'Albury' and only mentioned Wodonga on that line. I take it Albury is supposed to be there?

Ms Wooldridge interjected.

The PRESIDENT — But he read differently to what is written here. The written submission for me is only a guideline to what the member is going to say. What is relevant is actually what the member says, and the member left out some words, given what the written statement says. So I am trying to clarify whether he had intended to have those words in or whether he deliberately left them out.

Mr O'Sullivan — Yes, I left them out.

The PRESIDENT — You left them out? Okay.

Further notices of motion given.

BUSINESS OF THE HOUSE

General business

Ms WOOLDRIDGE (Eastern Metropolitan) (12:38) — By leave, I move:

That precedence be given to the following general business on Wednesday, 7 March 2018:

- (1) order of the day 36 standing in the name of Mr Davis in relation to the revocation of amendment GC65 relating to the West Gate tunnel;

- (2) notice of motion 514 standing in the name of Mr Davis in relation to the production of certain documents on the West Gate tunnel project;
- (3) order of the day 1, second reading of the Charities Amendment (Charitable Purpose) Bill 2017 standing in the name of Ms Patten;
- (4) notice of motion given this day by Mr Young in relation to duck hunting;
- (5) notice of motion given this day by Mr Davis in relation to the revocation of amendment C298 to the Boroondara planning scheme;
- (6) notice of motion given this day by Ms Wooldridge in relation to mandatory residential drug and alcohol treatment for young people; and
- (7) notice of motion 522 standing in the name of Ms Lovell in relation to convening a regional sitting of the Legislative Council.

Motion agreed to.

STANDING COMMITTEE ON THE ENVIRONMENT AND PLANNING

Membership

Ms PENNICUIK (Southern Metropolitan) (12:39) — By leave, I move:

That —

- (1) Ms Dunn be discharged from the Standing Committee on the Environment and Planning;
- (2) Ms Truong be appointed to the Standing Committee on the Environment and Planning;
- (3) Ms Dunn be a participating member on the Standing Committee on the Environment and Planning; and
- (4) Dr Ratnam be a participating member on the Standing Committee on the Environment and Planning.

Motion agreed to.

STANDING COMMITTEE ON LEGAL AND SOCIAL ISSUES

Reporting date

Ms SPRINGLE (South Eastern Metropolitan) (12:40) — By leave, I move:

That the resolution of the Council of 9 August 2017 requiring the Legal and Social Issues Committee to inquire into the public housing renewal program (PHRP) and report no later than 20 March 2018 be amended so as to now require the committee to present its report by 5 June 2018.

Motion agreed to.

MEMBERS STATEMENTS

Mitchell Shire Suicide Prevention Network

Ms SYMES (Northern Victoria) (12:41) — Today I would like to use my members statement to praise the Mitchell Shire Suicide Prevention Network, which recently invited Labor federal member for McEwen Rob Mitchell and Mitchell shire community groups and representatives to the Help Save a Life Walk event at Kilmore Racecourse. We were all brought together for the common purpose of helping to prevent and alleviate the suffering caused by suicide.

Unfortunately, growing up in country Victoria, I know it is a sad reality that the majority of communities that I represent have dealt with suicide, whether they be of family or friends. I have spoken in this house before about how suicide has affected my family personally. It was really pleasant to join Jane Cleland at the walk, with whom I got to walk around the track. Jane and her husband, Michael, lost their daughter Jess almost four years ago to suicide, so it was nice for her to be able to tell me about her beautiful, forever 19-year-old daughter and to hear about her dedication now to working with the Bully Zero Australia Foundation.

What was fantastic about the Mitchell Shire Suicide Prevention Network event is that we all share the same push to educate the community about the assistance and help that is available. The event allowed various groups and services within our community to better understand where they complement each other and how we as a community can work together to not only reduce suicide but also help those who are left behind. As the local Labor member I am very proud of my community around Kilmore and the Mitchell shire and their dedication in this regard. I look forward to their further efforts in not only stopping suicides from happening but also looking at strategies to assist those who are dealing with it.

Youth justice system

Ms WOOLDRIDGE (Eastern Metropolitan) (12:43) — I am very pleased to inform the house about an announcement made by the member for Bulleen, the Leader of the Opposition in the other place, Matthew Guy, yesterday with the support of Ms Crozier and me that a Liberal-National government will introduce mandatory residential drug and alcohol treatment for young people whose offending or risky behaviour is a result of substance abuse. This is a very significant policy announcement. It would be an Australian first where young people aged 15 to 17 who are before the court can actually be diverted — we can intervene early

in relation to their substance abuse — into mandatory treatment in a secure facility.

This will make a dramatic difference to young people in terms of being able to address their substance abuse issues and turn their lives around, it will make a very big difference to their families, who are often at their wit's end and very concerned about what is happening with their young family members, and it will make a very significant difference to the Victoria community as a whole because of the very positive safety implications it will have in diverting what we see in this state with escalating youth crime issues. I was very pleased to have Rohan with us yesterday at the announcement, who said:

If I had had rehab, maybe I could have got off the drugs earlier, which would have stopped my crime habits.

There was great support from Andrew Bruun, the CEO of the Youth Support and Advocacy Service, who talked about how this was going to have every ingredient needed to make sure there were successful outcomes for the participants. This is a very positive, bold announcement by the Liberal-Nationals and one that will make a real difference to Victoria.

International Women's Day

Ms SPRINGLE (South Eastern Metropolitan) (12:45) — Thursday, 8 March, is International Women's Day. In 2017 we have seen a shift in the public conversation around gender equality and women's rights. The #metoo movement happened, prompting thousands of women worldwide to share their experiences of sexual harassment and to demand change. The Victorian government published this state's first gender equality strategy. The AFL Women's launched to a great response both in Victoria and nationally. But amidst this progress Victorian women still face persistent challenges. The increasing casualisation of the workforce, levels of family violence in our communities and pokies harm are all impacting disproportionately on women. The gender pay gap remains a persistent problem, leading to knock-on effects throughout women's lives.

In 2017 the stage was set for some real forward momentum on gender equality, but this momentum needs our support and our hard graft to drive real progress on gender equality. I am looking forward to taking part in a major program of work on the gender pay gap led by Victorian Women Lawyers this year. I am also looking forward to seeing some real progress on a range of issues as the government's gender equality strategy moves beyond its establishment phase. I pay my respects to all Victorian women for their

extraordinary commitment and hard work to our communities, to our workplaces and to their families.

Employment policy

Mr MULINO (Eastern Victoria) (12:46) — It was a pleasure to participate in a panel discussion on the future of jobs, skills and work on Thursday, 15 February, on behalf of the Minister for Industry and Employment. That panel discussion was also participated in by Ms Patten from this place as well as a number of participants from industry and the VET and TAFE sectors along with futurists. It was a very interesting discussion on the challenges of automation and robotisation, on the threat of jobs declining and also on the changing nature of the workforce and the fact that we may have in the next few decades many, many jobs which do not exist today. We need to prepare our young people for this future.

It highlighted to me the importance of continued job creation. There have been over 300 000 jobs created since this government came to power — and that, I might say, in the face of a very high participation rate. More importantly, it highlighted to me the importance of investment in institutions like TAFEs. For example, the Lilydale campus of the Box Hill Institute of TAFE has been opened in my electorate and has partnered with a tech school which is teaching high school students virtual reality, robotics, coding and so forth. It also highlighted to me the importance of training, such as apprenticeships in major infrastructure projects and the career paths they can lead to.

It was a very interesting panel discussion that evening — a cross-party discussion, I might say, with a lot of expert contributions — and it highlighted for me the importance of a number of programs and achievements that the government can be proud of.

SPC Ardmona

Ms LOVELL (Northern Victoria) (12:48) — It was with great pride that I attended a ceremony to commemorate 100 years of the operation of the Shepparton Preserving Company (SPC), a true icon of the Shepparton and Goulburn Valley community. Over the past 100 years SPC has played a huge part in the lives of many people in my home town of Shepparton, and that connection to community remains just as strong today.

SPC is the largest producer of packaged fruit and vegetables in Australia and is currently supplied by 136 growers. Some of the families are fifth-generation suppliers to SPC, and they continue to produce and

supply the best fruit in the nation. The first fruit processor in the world to put preserved fruit in long-life plastic jars and to pack fruit in natural juice, SPC currently processes more than 100 000 tonnes of fruit through 29 production lines and produces more than 100 million cans and 50 million plastic tubs and cups each year.

It is interesting to note that the original SPC cannery was financed through loans from the state government, which under the Fruit Act 1917 made an advance of £10 000. Now, 100 years later, the future of SPC has been assured due to a \$100 million investment package funded with \$78 million from its parent company and \$22 million provided by the Napthine government in February 2014.

At the ceremony six fruit trees were planted to signify the stakeholders involved in SPC's operation over the last 100 years — staff, Goulburn Valley fruit growers, the Shepparton community, government, consumers and retail partners. Congratulations, SPC, and here's to the next 100 years!

Men's sheds

Ms PATTEN (Northern Metropolitan) (12:50) — Today six Australian men will take their own life — over 2300 men each year, and this number is rising. Sadly, men aged 80 and over suicide at a rate higher than any other age group in Australia. So I was really pleased to recently visit two amazing organisations in Northern Metropolitan Region that are transforming the mental health and wellbeing of older men in my electorate.

The Hume Men's Shed in Craigieburn was packed to overflowing when I called in last week. With limited resources and virtually no funding, they open a few times a week to provide a welcoming space to share a meal, to learn how to cook a meal, to share other skills and to support each other. For many of the men I met, this men's shed has literally saved their life. The work of the shed, led by Peter B, Beryl and Terry Clewer, could reach an even wider group of local men if they had a bit more space and a few more dollars.

Richmond Union Cricket Club

Ms PATTEN — I was also honoured to watch the over-60s side of the Richmond Union Cricket Club playing their last match of the season. Organised by Eane Whitton, the men tell me that it is like a men's shed but on an oval. The game is slow but the laughs are definitely fast paced, and the support for each other is firm and fast. The enthusiasm and commitment of the

over-60s players is articulated best by the name they call themselves — seenagers, or senior teenagers.

TAFE skills and jobs centres

Mr ELASMAR (Northern Metropolitan) (12:51) — On Wednesday, 21 February, I was delighted to attend the launch of the Bendigo Kangan Institute skills and jobs centre bus on the front steps of Parliament. As no doubt all members are aware, there are skills and jobs centres located at every TAFE, with some TAFEs having multiple locations. However, the Bendigo Kangan Institute have taken their skills and jobs centre one step further with the launch of a skills and jobs centre bus. The launch was hosted by the minister, the Honourable Gayle Tierney. Staff from the institute organised a quick briefing in the bus and explained to us how it will benefit people who are looking for practical qualifications and/or career advice that will eventuate in a meaningful job — yet another splendid initiative by the Andrews Labor government.

Middle East trade

Mr ELASMAR — Together with my colleague Khalil Eideh, on Tuesday, 27 February, it was my singular pleasure to attend a function organised by the president and national chairman of the Australia Arab Chamber of Commerce and Industry, Mr Roland Jabbour, OAM, to welcome His Excellency Mr Nasser bin Hamad Al-Khalifa, State of Qatar ambassador to Australia. Also present was the new Consul General for Lebanon, His Excellency Ziad Itani. Discussions took place regarding trading opportunities between Australia and the Middle East.

St Patrick's College, Ballarat

Mr MORRIS (Western Victoria) (12:53) — I wish to offer my congratulations to St Patrick's College in Ballarat on winning the recent Head of the Lake and following up with a win at the state schools championship on Lake Wendouree last weekend. Well done, boys. Ecka dora!

Mair Street, Ballarat

Mr MORRIS — I would like to raise the issue that we are seeing in Mair Street at the moment. Members of the house would be well aware of the battle that was fought and won over Sturt Street, but now the battle for Mair Street is in the thick of things. Traders are exceptionally concerned about losing over 170 car parks in Mair Street in Ballarat's CBD. There have been certain councillors who have been outspoken about this issue, and what is the government's

response? The government's response is to send out Assembly member Luke Donnellan to attack —

Mr Davis — We know what he offers.

Mr MORRIS — We certainly do know what Mr Donnellan offers. Mr Donnellan came out to attack a local Ballarat city councillor who is doing nothing more than standing up for her community. I must say that this is something that Labor should try once in a while. Perhaps Labor should try listening to the community rather than being busy bashing and crashing through the community despite overwhelming opposition to their plans. As I have said before, Labor has form on this particular issue, with their disastrous railway precinct redevelopment, their shocking plan to destroy Sturt Street, their botched redevelopment of Eureka Stadium and now this disastrous plan for Mair Street. What is clear now more than ever is that the community clearly cannot trust Labor.

Victorian Gundog Club

Mr BOURMAN (Eastern Victoria) (12:54) — On Saturday I was out past Molesworth at the Victorian Gundog Club trials. It was actually quite an entertaining day. In the trials the dogs are given things to fetch and people try to distract them. Clearly some dogs were a lot better at it than others, but it was a whole lot of entertainment. I have to thank Sally Haynes from the gundog club for the invitation.

Bairnsdale Dragway

Mr BOURMAN — Also on Saturday I headed out to the Gippsland Motorplex/Bairnsdale Dragway with my friend Ricky Muir to watch the truck drags. That might sound a little unusual — and it was — but it was very entertaining. There was an old super-truck there which was from when they used to race them around Winton and things like that, and that went pretty well. I think the highlight of the day was the motorhome that went down the drag strip, and I am pretty sure it is still going.

The serious side of this is that these off-street drag racing and off-street burnouts and things like that are a road safety initiative. They get young people off the streets and to somewhere they can do these things in a safe, controlled environment, and a lot of them actually take up motor racing as a sport rather than just doing it on the street. It is also very interesting to note that the local police do support the events at the dragway. I will just finish up with a thanks to Colin Hayward for the invite.

Regional rail services

Mr DAVIS (Southern Metropolitan) (12:56) — I want to draw the house's attention to the state of our country trains and in particular the long-haul country trains — the old N and Z-type car sets — which date back to the Hamer government era when they were ordered and which were mostly delivered during the Kirner government. They are unreliable, they are not up to modern standards and the coalition has said we will replace them with a \$633 million program to put forward 96 individual cars and 16 sets that can be flexibly configured. This will also apply to the Warrnambool, Shepparton, Albury-Wodonga, Bairnsdale and Swan Hill lines. These will be very important long-distance carriages that will make a huge difference to the standard of country rail services.

These services are something that people in the country are entitled to. They are entitled to good-quality services and reliable services. You only need to think of the announcement of this made by Mr Guy on Friday down at Southern Cross station. Of course the train that was heading to Shepparton broke down, so the Shepparton service is one of the worst performing service of all services. That service broke down; people were angry, and naturally so because they wanted to get home on a Friday night. That is the way that the service is run under Labor, under Daniel Andrews and Jacinta Allan. It is time they caught on and actually followed up with our program for a new set of long-distance, long-haul railcars.

Mr Gepp — On a point of order, President, I remember last sitting week being reminded of using correct titles when I inadvertently referred to the Prime Minister by name and not by title. Mr Davis has just done that to both the Premier and the Minister for Public Transport.

The PRESIDENT — I certainly believe that when we refer to Mr Andrews it ought to be as the Premier, so his title ought to be included. Very often when a name is used it can be used in a way that is quite dismissive, and I think that is wrong. The correct reference ought to be to Premier Daniel Andrews.

Nillumbik public land

Ms DUNN (Eastern Metropolitan) (12:59) — Last Sunday I saw an inspiring display of community spirit when thousands of Nillumbik residents came together to show how much their reserves and open green spaces mean to them after 17 parcels of land, covering over 42 000 square metres, were put on the auction block by the Shire of Nillumbik. Many of the reserves provide

space for local children to play and neighbours to come together. They promote sports, fitness and wellbeing. They are there for the whole community to enjoy. The threat of losing them has further bonded the community, as they gather to screen print T-shirts and stand as a united voice to protect these important spaces.

It will come as no surprise to my colleagues in this place that I have a fondness for trees. It is heartening to see that so many Nillumbik residents feel the same. Over 1200 trees are being put at risk, some of them over 100 years old and some of them remnant vegetation. Such diverse and rich native vegetation is why many residents choose to live in a leafy green area such as Eltham. Public open spaces provide an invaluable habitat in an area rich with native species. Once sold and developed, concrete will provide little habitat, and as many echoed at Sunday's rally, once it is gone, it is gone for good. I stand with the Nillumbik community and congratulate them on coming together with a strong united voice to stand up for what is important to them. I assure them that it is important to the Greens too.

Growing Suburbs Fund

Mr MELHEM (Western Metropolitan) (13:00) — I rise to speak on the excellent work being done through the Andrews Labor government's Growing Suburbs Fund (GSF). My electorate of Western Metropolitan Region has some of the most rapidly expanding areas in all of Victoria. These growth corridors are experiencing a significant increase in demand for community services and local councils alone cannot service their local needs. That is why this government is investing \$150 million over four years into critical local infrastructure for these fast-growing suburbs. I have seen the benefits of this program in the west at first hand.

Last Friday I announced the commencement of works for an all-purpose Scout adventure activity centre in Burnside Heights. The \$500 000 contribution made by the Andrews Labor government was vital in helping the 160-member Caroline Springs Scout group find a new permanent home. This project is an example of the exciting initiatives being supported by the GSF and the effect that it has on the community. This program has led to over \$30 million worth of funding going into the western metro area since the Andrews Labor government came to power in 2014. The benefits of these projects will be felt by the community for many years to come.

Werribee financial counselling service

Mr MELHEM — Last Thursday I accompanied Minister Marlene Kairouz to an announcement of \$715 000 in funding for six full-time financial counsellors to be based in Werribee. This service, to be delivered by Anglicare, also includes one specialist family violence counsellor to ensure that those experiencing significant hardship can get the support they need to get their lives back on track.

Community safety

Mr FINN (Western Metropolitan) (13:02) — Do not let the Premier, Minister for Police or Chief Commissioner of Police tell us we have no gang problem in Melbourne. Do not let them try to tell us the crime tsunami has passed. Do not let them try to tell us people are not living in fear in their own homes. The fact of the matter is the wave of violence that has terrified people across the greater metropolitan area continues. If the house does not believe me, ask the workers at Essendon McDonald's who were attacked by thugs as they went about their jobs, or ask the young mother in Albion who awoke with a knife against her throat as she and her family became victims of a horrific home invasion. Maybe we could ask the family who were similarly attacked in their home in Taylors Hill the day before. Perhaps we could ask the 96-year-old woman who was violently assaulted in her St Albans home.

These incidents were just last week alone, and only in the western suburbs. Violent crime in Melbourne is out of control. I have spoken to people in Melbourne's west who are looking to arm themselves to protect their families and others who already have. As terrifying as these dreadful events are, what is truly chilling is the refusal of the Andrews government to accept that we have a major crisis in this state. Premier Daniel Andrews has failed to protect the people of this state, and in November he will pay the ultimate political price.

Murray Meander

Mr O'SULLIVAN (Northern Victoria) (13:03) — Last week, along with some of my parliamentary colleagues — Tim McCurdy, Steph Ryan and Peter Walsh from the Assembly, and Austin Evans, the member for Murray in the New South Wales state Parliament — I participated in the Murray Meander. The Murray Meander is run by the OTIS Foundation out of Echuca and Moama and raises money for prostate and breast cancer research and treatment. The Murray Meander is when people jump in very small

boats — some of them a little bit bigger, but they are mainly very small boats — and travel all the way down the Murray River. It takes about seven or eight days in total. They started up at Corryong, above the Hume Weir, and went down to Echuca.

The Nationals entered two boats in the Murray Meander this year, and we participated from Yarrawonga to Echuca over three days, which was some 300 kilometres in the boat. We were raising money along the way, and I would like to thank all the event organisers and volunteers who made this event possible. There were about 40 boats and 100 people involved, and it was a lot of fun. Thank you to the people who were supporting the Murray Meander by buying raffle tickets and donating items from their businesses for the charity auctions and raffles.

I went to fill up with fuel at Tocumwal for the boat. The garage owner saw our T-shirts and was aware of the Murray Meander, and he donated on the spot some items that we were able to use for the raffle. It was very generous of those people to make those contributions. The Murray Meander was a great success and will help a lot of people.

Community safety

Ms CROZIER (Southern Metropolitan) (13:05) — I want to mention the week of mayhem last week across Melbourne, when there were 10 violent home invasions. Reportedly some of those home invasions included young teenagers — thugs. As Mr Finn said, one masked teenager broke into the home of a terrified woman in Albion, had a knife to her throat in front of her five-year-old child, and then ransacked the house before her husband rushed to her aid — a terrifying episode. Another incident was where a hooded thug smashed his way in and terrorised a 96-year-old woman, demanded cash and jewellery, and ransacked the house.

I have no idea if those young offenders were drug affected or not, but it is clear that there is a considerable problem in this state with offending and with drugs, especially around ice and the like. The violence and the crimes that are occurring are out of control. Yesterday Matthew Guy, along with Mary Wooldridge — and I happened to be there — announced mandatory drug treatment to keep kids and communities safe. This is based on a model by magistrate Jennifer Bowles, who has —

Ms Mikakos interjected.

Ms CROZIER — I hear the minister interjecting, the most hopeless minister in this area of crime —

Honourable members interjecting.

The ACTING PRESIDENT (Ms Patten) — Order!

Honourable members interjecting.

Ms CROZIER — Absolutely hopeless.

The ACTING PRESIDENT (Ms Patten) — Order! Twenty-five seconds!

Ms CROZIER — Hypocrisy. Why didn't the clock stop?

The ACTING PRESIDENT (Ms Patten) — Ms Crozier, you have another 15 seconds.

Ms CROZIER — I would like to commend the work of magistrate Jennifer Bowles, and I would urge the government not to dismiss it like they did last year, saying it was forced detention, and to bring this model to fruition.

RACING AMENDMENT (MODERNISATION) BILL 2017

Second reading

Debate resumed from 7 September 2017; motion of Ms PULFORD (Minister for Agriculture).

Mr ONDARCHIE (Northern Metropolitan) (13:07) — Today I rise to speak on the Racing Amendment (Modernisation) Bill 2017. The purpose of this bill is to amend the Racing Act 1958 to support the recent changes to the constitution of racing in Victoria, as resolved at a special general meeting on 18 April 2017. I just remind the house of that: this was resolved at a meeting of Racing Victoria on 18 April 2017, and here we are —

Mr Morris interjected.

Mr ONDARCHIE — As Mr Morris quite correctly interjects, it was almost 12 months ago that this was resolved at that meeting of Racing Victoria, and here it is arriving in the Victorian Parliament's upper house today. You wonder about the government's commitment to anything. They said that they want to get on with things. They keep telling people, 'We're getting on with things', and here we are, 12 months almost to the day since this matter was first introduced through the resolution of the special general meeting of Racing Victoria Limited on 18 April 2017. What is

interesting, of course, is that it was dealt with in the Legislative Assembly on 22 August 2017. It is arriving here today, on 6 March 2018, after first finding its way into the lower house in August of last year.

This is a government that roll things out to the media organisations, and you hear ministers in their ministers statements saying, 'We're getting on with the job. We're getting on with it'. The only thing they are getting on with is talking about it. They are not actually doing anything, they are just talking about it. I just wonder how serious they are.

I should declare, as we commence the debate on this today, that I am a member of the Moonee Valley Racing Club, I am a member of the Melbourne Greyhound Racing Association, and I absolutely love the three forms of racing: harness, thoroughbreds and greyhounds, commonly known —

Mr Finn interjected.

Mr ONDARCHIE — I did say harness. They are commonly known as racing, pacing and chasing. I do love them all.

The main provisions of this bill are to make necessary reforms to support the changes to the Racing Victoria constitution. The bill also clarifies that Racing Victoria is not a public entity for the purpose of the Public Administration Act 2004 or the Financial Management Act 1994, given the Racing Victoria Limited board is appointed by the minister. The changes to this bill also allow the minister to exercise the powers conferred on the minister as adopted in the changes to the constitution in relation to the selection, appointment, resignation or removal of directors of Racing Victoria, including the chair and deputy chair, as agreed in the constitutional change on 18 April 2017.

Honourable members interjecting.

Mr ONDARCHIE — Yes. My colleagues on this side of the chamber are shaking their heads that here we are on 6 March 2018 and we are just dealing with this now.

I want to refer to how much value racing does give to the Victorian economy. There are a range of views, and no doubt we will hear them from people like Ms Pennicuik today, about Racing Victoria. I should add for the purpose of discussion that I invited her to be my guest at the Blue Diamond Stakes at Caulfield recently, and she knocked me back.

Ms Pennicuik interjected.

Mr ONDARCHIE — Fair enough. I did make the offer for you to join me at Caulfield for the Blue Diamond. It did not happen.

In terms of racing in Victoria I just want to give members a snapshot of what it means in economic value to our state. Racing generates \$2.8 billion in real gross value that is added to the Victorian economy; 114 100 people are directly involved in racing, as employees, volunteers or participants; almost 61 per cent of those people directly involved reside in regional Victoria, not just in metropolitan Melbourne, and a further 28 700 people are employed in the supporting industries. There are 142 800 total jobs, and participants directly and indirectly involved in the racing industry get opportunities through racing. We should be supporting racing. We should be congratulating the industry on what they are doing. But this bill goes to sharpening things up in terms of governance.

There are more than 5650 trainers that prepare over 22 730 thoroughbreds, standardbreds and greyhounds for racing in Victoria. There are more than 5520 people in Victoria who are involved in breeding thoroughbreds, standardbreds and greyhounds for racing. The majority of those, 80 per cent, are in regional parts of the state. In total, breeders in the Victorian racing industry spend more than \$245 million per annum on producing horses and greyhounds for racing. In 2010–11, from some of the recent data that we have, the Victorian racing industry was responsible for the export of over \$3 million in racing stock. Wagering on the three codes back then delivered more than \$260 million in funding to the Victorian racing industry. So the punters alone are delivering over \$260 million to the industry.

The thoroughbreds, which are primarily what we are talking about today, play an integral role in local communities throughout Victoria. Around 72 000 people are engaged as employees, volunteers or participants. Sixty-three per cent of those engaged reside in regional Victoria. More than 50 000 owners are connected with racing either directly as an owner or through a syndicate. We often find at race days there are many more owners than there are horses at the track, as they are tied up in syndicates. It is interesting that when the horses do return to scale, as Mr Gepp acknowledges, there can be quite a raft — a boatload — of owners draped around the winning horse. However small their part may be, they are involved in the racing industry. We congratulate them and thank them for that.

There are around 1000 trainers training about 10 000 horses and 1700 breeders right across Victoria,

from great breeders like Musk Creek Farm on the Mornington Peninsula right through to breeders in the northern parts of Victoria, including Swettenham Stud. And I see Mr Gepp nodding away affectionately there; I suspect he has a similar passion to me for this great sport of racing.

There are over 1600 racing club volunteers across the state. Around 500 community organisations are financially supported as a result of thoroughbred racing. As an economic contributor the Victorian thoroughbred racing industry contributes over \$2.1 billion to the Victorian economy, sustains over 19 600 full-time equivalent jobs, provides over \$1.1 billion per annum in household income and generates over \$1.5 billion in spending, incorporating both the breeding and the preparation of racehorses as well as on and off-course customer expenditure, with nearly 50 per cent of this expenditure occurring across regional Victoria. There is over \$483 million generated in total customer expenditure. That incorporates both oncourse and non-race day expenditure.

I should reflect on — it is not directly part of this legislation, but it is touched by the wider racing industry — the great work of greyhounds in Victoria as well. I congratulate the owners, trainers and all the connections of Hecton Bale, that won the Australian Cup at the Meadows on Saturday night. It was nowhere near the favourite, but people close to me picked it as the winner when I did not. Hecton Bale had a great run. There are 433 breeders of greyhounds in Victoria, 9109 owners — and I should confess at this time that my wife owns two racing greyhounds — 1659 trainers, 652 attendants, 121 catchers, 696 industry and racing club employees and 767 employees of participants. There are 1586 unpaid workers, or volunteers, that work in the greyhound racing industry. Greyhounds contribute over \$409 million per year to the Victorian economy. As a result 2888 jobs are generated by the greyhound racing industry.

Racing in Victoria, despite recent publications in the *Herald Sun*, is alive and getting better. The Victorian racing industry contributes more than \$2.8 billion to the real gross value of this economy. As I have said, more than 114 000 people are directly employed in the industry in Victoria. If we look at the economic value of racing, it is responsible for more than 26 600 full-time equivalent jobs in the Victorian economy. If you look at some of the data that is before us today, race meetings in Victoria attract attendances of more than 1.8 million people. I know that I, Mr Gepp and others in this chamber are attendees at Melbourne metropolitan and regional race days as well. They are great fun. In terms of overseas viewers, over

750 million people watch our races in Victoria. There are over 6.3 million Australian viewers of the Melbourne Cup Carnival. There are over 67 000 members of racing clubs. Over 831 000 Victorians over 18 years of age participate in race wagering annually. During the Spring Racing Carnival we see over 706 000 people attend the spring races, with 165 000 of those being out-of-state visitors as well.

There are some great racing clubs around Victoria. I know there are many that I and Mr Gepp are fond of. When we look at Melbourne, we look of course at the Melbourne Racing Club, which incorporates Caulfield, Sandown and Mornington; and the Victoria Racing Club, which of course is Flemington, and my favourite, the Moonee Valley Racing Club.

Mr Finn — In my electorate.

Mr ONDARCHIE — And sometimes, occasionally, Mr Finn, it is called Money Valley. Then we look right across the regions of Victoria, and there are some great racing clubs. There is the Geelong St Patrick's Racing Club and the Geelong Racing Club. The Ballarat Turf Club is also one worth mentioning, and of course there are a raft which I am sure my colleagues will be talking about through the course of today.

This bill is an interesting one because it came about as a reconstitution of Racing Victoria Limited's constitution. It also determined that Minister Pakula — so I have got his right name; I just did not call him Marty — set about convening an advisory panel to recommend appointments to the board of Racing Victoria, because there were some changes made. Back in September last year Mr Pakula determined that three of the current directors of Racing Victoria Limited — Mike Hirst, Greg Nichols and Michael Andrew — would continue on in their roles with the board. But the advisory panel set about looking for people to constitute the board under the minister's direction.

The advisory panel comprised a representative of the metropolitan racing clubs, a representative of Country Racing Victoria and a representative of the industry body members. It also included a nominee of the Minister for Racing and a nominee of the Secretary of the Department of Justice and Regulation. The panel interviewed many people and recommended seven candidates for the minister to consider. Mr Pakula selected five of those candidates to the board of Racing Victoria Limited, including Brian Kruger, who is the chairman, and he was appointed in December 2017. Mr Kruger has had previous positions as managing

director of Toll Holdings, the chief financial officer of Toll Holdings, the president of the Australian manufacturing markets of BlueScope Steel, and at one stage I think Brian was the vice-chairman and treasurer, maybe, of the Moonee Valley Racing Club as well. Brian is now the chair of Racing Victoria Limited.

Mike Hirst of course was already on the board. He remains as a board member. I know Mr Morris will be interested in this: Michael Andrew remains as a director of Racing Victoria Limited. Rowen Craigie, who was formerly the chief executive officer and managing director of Crown Resorts Limited, joined the board in 2017, as did Kate Joel, whose involvement in racing has been around for a long time. Ross Lanyon was appointed in 2017 — I think he was a journalist by profession, and you may know him, Mr Morris — a chairman and managing director of Elliot Newspaper Group, vice-chairman of the Victorian Country Press Association and chairman of the Mallee Health Foundation as well.

Also appointed to the board in 2017, and this will be of interest to members in here, I am sure, was Sharon McCrohan. Now, Sharon has had a number of different positions, one of which was the media adviser to Premier Steve Bracks and Premier John Brumby. She is well known to the Australian Labor Party, well known to Victorian Labor, and — surprise, surprise — she has a role on the Racing Victoria board. You just wonder how her name came up and how her appointment came about.

Mr Gepp — Recommended by the panel.

Mr ONDARCHIE — Mr Gepp will say, 'It wasn't us; it was the advisory panel that just selected one of our own mates to join the board. It had nothing to do with us; nothing to see here; complete arm's length'. They just happened to pick a great mate of the Labor Party to sit on the board of Racing Victoria Limited. It is funny how these things happen. Mr Gepp will no doubt have a chance to talk to this bit of legislation today, and it will be interesting to hear as he rolls through his list of mates that have been presented with various opportunities in Victoria as board members. This just adds another one to them. We could be here for hours running through the list of people.

Mr Gepp interjected.

Mr ONDARCHIE — If Mr Gepp is inviting me to do it, I am happy to do it. We will run through the list of people who have been appointed to boards who are Labor mates. Nothing surprises me. I am wondering when the new Department of Premier and Cabinet's

advisory panel will announce Peter Marshall as their chair. It will be interesting to see what the view of Mr Gepp — the great mate of the member for Brunswick, Jane Garrett, in the Assembly — is of the United Firefighters Union deal structure. But I digress — because if I get too far away from this bill, it could be butter knives at 40 paces in here. They are sharpening them now; I see that. They are sharpening their butter knives for an interrogation of the opposition. You can never be sure.

We sought some feedback on this bit of legislation: we have spoken to Country Racing Victoria; the Melbourne Racing Club; the Moonee Valley Racing Club; the Victoria Racing Club; TROA, the Thoroughbred Racing Owners Association, which I am delighted to host for their luncheon here in Parliament; the Thoroughbred Breeders Victoria; the Australian Trainers Association — that is the Victorian branch; the Victorian Jockeys Association; the Australian Jumping Racing Association; and the Victorian Bookmakers Association. There have also been other discussions with stakeholders and of course Racing Victoria board members.

But what is interesting about this is what has led up to where we are today. There was a memo between the office of Minister Pakula and Racing Victoria Limited that got out.

Mr Morris — It was leaked.

Mr ONDARCHIE — Well, who knows, Mr Morris, how it got there; they are too flat out sharpening butter knives over there to be involved in leaking perhaps, but nonetheless it got out. The leaked notes from the meeting between Minister Pakula's office and Racing Victoria Limited showed that it was previously the minister's intention to introduce reforms that would allow the minister to accept and consider minority recommendations from the advisory panel — on which he had his own representative of course — to allow the minister to make board appointments outside the recommendation of the advisory panel. So the memo said, 'You might want to do something' — as Mr Gepp said, the advisory panel recommended it — but the minister wanted the right to do his own thing, to appoint his own people, to select —

Mr Morris — Freelancing.

Mr ONDARCHIE — Well, you use the term 'freelancing', Mr Morris. Some would say it is corruption — some would say that — but we will let other people work that out. The notes also said the intention was to give the minister the power to remove

a board member at any time and replace that board member with a ministerial appointment without forming an advisory panel — captain's choice; captain's pick.

Mr Morris — It sounds like the MFB.

Mr ONDARCHIE — As you rightly point out, Mr Morris, and thank you for that segue, it sounds like the Metropolitan Fire Brigade board: 'We will put our own people on there to get what we want done. I don't have to check with anybody. I don't have to convene an advisory panel. I'll just do what I want to'. That is what the leaked memo said.

Interestingly enough, since the memo leaked the minister has backed down from those amendments — 'It didn't really happen. It never existed. It's all a figment of your imagination'. He has now said that he would not accept minority reports from the advisory panel. He also said he now will not have the power to make appointments outside the recommendations of the advisory panel; he can only remove a board member for bringing Racing Victoria into disrepute and the replacement must go through the advisory panel, rather than the minister being able to make the appointment himself. What is going on here in Victoria? Every time something happens, every time there is a stuff-up in Victoria, the Victorian government says either 'We had nothing to do with it' or 'We're going to change our mind'. It has happened time and time again.

I remind you about commitments that people have made that have not come to fruition, like the time that the then opposition leader, now Premier of Victoria, looked down the barrel of the camera to Peter Mitchell on Channel 7 news the night of the election and said he made a commitment to every Victorian that there would be no new taxes. And here we are: 12 new taxes in Victoria. He told the Victorian people that he was going to rip up a contract, a sovereign contract between a government and a constructor — he was going to rip it up — and it was not going to cost Victorians a cent for that vital piece of infrastructure, the east-west link. It has now cost Victoria over \$1.3 billion for a road that we desperately need, that the Labor Party's report says we desperately need, that Infrastructure Victoria said we desperately need and that Sir Rod Eddington, when he started his study on behalf of the Brumby government, said was a vital piece of infrastructure — \$1.3 billion. Can we believe a word that this government says?

Mr Morris interjected.

Mr ONDARCHIE — As Mr Morris quite rightly points out, we cannot believe a word they say.

I turn to our provincial clubs. I suspect others will talk about clubs like Stony Creek, Avoca and Traralgon having fewer meetings. More meetings are being held at Cranbourne, Mornington, Ballarat and Bendigo. I think the Stony Creek Cup is due in the next couple of weeks, actually. I know that Mr Morris often talks with glowing affection about the Ballarat Turf Club and its great economic value. I do not know if Mr Morris is a great punter in that sense, but he loves the sport and he loves the economic value that horseracing in the western parts of Victoria brings to the local economies. As I know does Mr Ramsay, who often talks with great affection about things happening in Geelong and right through to the western border in relation to thoroughbred racing across Victoria and the enormous value that it adds to communities. I spent some time in Wangaratta with Mr McCurdy, the member for Ovens Valley in the Assembly, and we talked about the Wangaratta racing club and how it brought people together. Mr McCurdy talked about how it brought communities together, friends seeing each other, lifelong friends joining together through racing to spend some time together. Were they great punters? Maybe not. Were they great followers of the gallops? Maybe not. But it brought communities together.

Mr Ramsay interjected.

Mr ONDARCHIE — I know Mr Ramsay and Mr Morris are great advocates for their electorate and for what thoroughbred racing does.

I also note that often ministers of the government spend their time at the races. I know Ms Pulford, at a particular time of the year, spends a lot of time visiting Warrnambool. It just might coincide with the three-day carnival down there. They just happen to visit at that time — pure coincidence, they would say.

There has been, sadly, reports in the media of late about some problems in the racing industry. I know the *Herald Sun* went to great lengths recently to talk about some doping scandals and people like group 1 trainers Robert Smerdon and Stuart Webb were named in the paper as a result of things happening in the racing industry. The syndicate of my friend, the chairman of the Melbourne Racing Club, Mike Symons, was named. He made some comments confirming what has happened in his own syndicate and the people who have been released as a result of some of the accusations that have been made. There is still some research and some investigation to be done, so I am not going to pinpoint people in particular other than to say

that there are some suggestions that in the industry there has been some inappropriate activity. I do not stand for that, and I am sure my colleagues on this side of the chamber find it abhorrent that people would take inappropriate means to alter the true nature of the great thoroughbred racing industry we love.

When I think about the thoroughbred racing industry, I think of great names like the Cummingses — Bart Cummings, James Cummings and Anthony Cummings — who have done a great job not only in breeding horses but in training and raising great racehorses as well. Looking at the north of Victoria, I know Ms Lovell is a great supporter of racing in northern Victoria, particularly because the equine industry is somewhat headquartered in regional Victoria in Ms Lovell's own electorate. When you look at that wider Strathbogrie area you know there are great trainers —

Ms Lovell — David Hayes.

Mr ONDARCHIE — The Hayes family. Thank you, Ms Lovell. I am sure you will talk about this a bit later. David Hayes and my friend Adam Sangster, who runs a fantastic facility up there in amongst the wineries —

Ms Lovell interjected.

Mr ONDARCHIE — I will let Ms Lovell talk at great length about some of the work that we do in Victoria and our connections to international thoroughbred racing through the Godolphins, the Darlings et cetera. Victoria adds significant economic value through its horseracing.

When you look at racing royalty I also think about the lady I call the queen of racing, Gai Waterhouse, and the work that she does not only in developing fine racehorses and bringing fantastic syndicates and owners together but in lifting the sport through her own personality, through the work she does in the promotion of racing. I dip my lid to Ms Waterhouse and the work she does.

Thinking beyond that, thinking to the value that the Spring Racing Carnival brings to Victorian racing, we think about things like fashion, food — the hospitality that evolves through the Spring Racing Carnival. Those who have had the benefit of experiencing great racing either at the great weight-for-age race, the Cox Plate, on the last Saturday in October at Moonee Valley, or indeed the Derby or the Melbourne Cup — the great races that occur during the Spring Racing Carnival both at headquarters and at Moonee Valley — would know that there are many people who attend those events not

just for the horseracing. There is great fashion. I know our own fashionista, Ms Lovell, often talks about the great fashion during the Spring Racing Carnival.

I just want to make the point that as we are going through this modernisation bill today we should reflect on the wonderful value of thoroughbred racing and its wider connections. I note the Melbourne Fashion Festival will be upon us very shortly and the Melbourne International Flower and Garden Show will be upon us very shortly. All of those things are connected in some way to racing. Even the automotive industry is. I know my friend with a particular dealership in Swan Street, Richmond, that I visit, gets their prestige cars out during that time of the year.

Mr Gepp — Gee, you've got some mates!

Mr ONDARCHIE — As Mr Gepp reflects, yes, on this side of the house we have friends. We do not have takers, we do not have people touching us up for various special deals and we do not get enterprise bargaining agreements through because they are mates of ours. We have friends on this side of the house.

Victorian racing is alive and well. Victorian racing adds special value to Victoria. The opposition will not be opposing this bill, but there are some questions we would like to ask of the minister in the committee stage. We have spoken, as I said, to a range of people. The constitutional change that is being effected through the Racing Victoria board indicates that the board and the stakeholders want to get the board in place and operating well. Giles Thompson, the new CEO, is in place. They want to get on with the job of running the industry and making sure it is a clean industry — as we all do.

I thank all those involved in racing right around this state, including the volunteers who sit on many of the country racing club boards and who get up in the morning and do lots and lots of work to encourage racing and bring together the people in their own community. I know my regional members in this place are great fans of the volunteers who work in regional Victoria, not just in racing but even the Country Fire Authority. I know they are great supporters of the CFA volunteers as well, as opposed to those on the other side of the chamber.

I thank the house for the opportunity to talk about a sport I truly love. I wish thoroughbred racing a great autumn, winter and of course spring. We will pursue more of these matters in the committee stage of the bill.

Mr GEPP (Northern Victoria) (13:35) — I rise to speak on the Racing Amendment (Modernisation) Bill 2017, and I will certainly come to some of the things that Mr Ondarchie spoke about in his contribution. In the fullness of disclosure, I am one of the many thousands of people in the great state of Victoria who has an interest in a racehorse. It is a very small interest, but I proudly got to see my horse salute for the very first time just before Christmas down at that wonderful racetrack in Cranbourne.

An honourable member — What did it pay?

Mr GEPP — Enough. The purpose of this bill of course is to deliver on the commitment made by the government in late 2016. At its heart the bill is designed to minimise conflicts of interest and ensure that the Racing Victoria board is completely independent. This bill confers the Minister for Racing with the power to appoint the chair, the deputy chair and the directors of the Racing Victoria board, and as Mr Ondarchie said, where they bring racing into disrepute, the minister has the power to remove them if that is the appropriate course of action. This bill confirms a decision that was taken in April 2017 by Racing Victoria's shareholders at a special general meeting. That decision was that Racing Victoria would not become a public entity for the purposes of the Public Administration Act 2004 or a public body for the purposes of the Financial Management Act 1994.

Why is this bill necessary? Why is it so important? Of course we know that up until now all of the appointments that have been made to the Racing Victoria board have been made by the very people that Racing Victoria regulates. We have had the Racing Victoria board comprising any number of different representatives from the industry that Racing Victoria oversees. They have in fact, if you like, been appointing people to the board that oversees them. It was time to review that situation. Any potential conflict of interest, either real or perceived, will now be dealt with by the minister as a result of changing the legislation to confer that power on the minister.

Mr Ondarchie in his contribution talked about the recent board appointments that were made last year. The minister convened an advisory panel to advise him on applicants for the vacant board positions. That group, which was led by Ms Elliott, nominated seven people to the minister, and the minister selected five for the new board. Mr Ondarchie went through all of those names and congratulated everyone except when he got to one in particular. I just want to remind people in the chamber and for the record what some significant people who were involved in that advisory panel and

some people from the industry actually said at the conclusion of the process.

Amanda Elliott, chair of the Victoria Racing Club, said:

I applaud the minister for his diligence in the appointment of the new Racing Victoria board.

I was a member of the advisory panel, and the process leading up to the announcement this morning was extremely consultative, broad and representative of all industry stakeholders.

It is a high-quality board and the VRC looks forward to working closely with them.

Then of course we had Mike Symons, a 'mate', I think, as Mr Ondarchie described him.

Mrs Peulich — A close mate.

Mr GEPP — A close mate, was it? Thank you, Mrs Peulich.

Mrs Peulich — No, it was, 'You're his mate' or 'Is it your Labor mate?'

Mr GEPP — I was not sure if he was a mate, friend or close mate, but I will take Mrs Peulich's interjection, that he was a close mate of Mr Ondarchie.

Mrs Peulich — No, I thought he was a mate of yours.

Mr GEPP — Mr Symons said:

The MRC welcomes the appointments to the RV board announced by Minister Pakula today. It brings together a group boasting a broad cross-section of experience and expertise in commercial and finance, wagering, hospitality and entertainment, along with great knowledge of and regard for governance, to lead the Victorian racing industry into the future.

We look forward to working with the new board as well as Minister Pakula and our fellow stakeholders in Victorian racing ...

And then of course there was Mr Ondarchie's favourite track, Moonee Valley, and what did Moonee Valley Racing Club chairman, Don Casbould, have to say about the process? He said:

The Moonee Valley Racing Club congratulates Brian Kruger on his appointment to the board of Racing Victoria. Whilst serving on the Moonee Valley committee, Brian has made a significant positive contribution to our club.

We believe that Brian is an outstanding appointment as chairman of Racing Victoria and the MVRC looks forward to working closely with Brian and his fellow board members through this exciting period for the Victorian racing industry.

There we have the industry congratulating the minister for the process that he had undertaken to find the right mix of skills and experience to go onto the board to guide this very, very important industry in this great state of Victoria.

As we have heard, the racing industry in Victoria generates in excess of \$2 billion for the Victorian economy. It sustains more than 19 500 full-time equivalent positions and approximately 72 000 people are engaged in the industry, either as employees, volunteers or participants. The importance of those statistics is that around two-thirds of all of those people reside in regional Victoria, including in my electorate, which has such a deep connection, whether it be breeders, whether it be racehorse owners or whether it be the tracks that are in northern Victoria — Seymour, Wangaratta, Echuca, Shepparton or Swan Hill; they are everywhere. It is such an important part of the Victorian economy, but it is also such an important part of the Victorian lifestyle, and I will come back to that in a second. So on any measure the racing industry is vital, and this step forward in terms of an improved governance arrangement for the industry is obviously very, very welcome.

Of course it does come at a time when there have been some negative things around in the media of late, much to everybody's disappointment. We understand that there are processes underway at the moment, so it is not appropriate for us to go any more deeply into that, except to say that certainly all of the people I know in the racing industry want racing to be the best that it can possibly be. Whether it is greyhound, harness — for you, Mr Finn, that is trots — or thoroughbred racing, we want the industry to be the best possible industry that it can be. If there is anything untoward in the industry, then I am sure that these improved arrangements, along with the processes that Racing Victoria already has at its disposal, will ferret those things out and deal with them appropriately.

I talked a little bit about the economic value of the industry to the Victorian economy, but of course there is also the cultural significance that it has. When you speak to people overseas about all things Australia, and particularly things in Victoria, they marvel at the fact that we have a public holiday for a horserace. They just cannot believe it. They cannot believe that we have got a public holiday for a horserace.

Mr Morris interjected.

Mr GEPP — I hear those opposite starting to whinge and whine about that. We will support the continued public holiday for the Melbourne Cup. It

does not matter what you might say. You can interject, but we will support it and we will continue to support it because it is iconic and it means so much to the people of Victoria. We are so generous that we actually share it with the rest of the nation, and while many do not have the benefit of a public holiday, many treat it as such across this great country of ours. It has not just economic importance but also such a vital and social role in our culture here in Victoria.

As I said at the outset, governance is such an important issue in the racing industry, and it must at all times be seen to be and be above question, and this legislation is squarely aimed at achieving this. We believe that it will go a long way to improving governance in racing. Consultation within the industry has been extensive about the legislation, and I congratulate the Minister for Racing and his staff, who have done such a superb job in talking to the industry about this very important reform. It is evidenced by the fact that this proposal has received such widespread support right across the industry. It will enable the Minister for Racing to consider the full range of skills that are necessary on the Racing Victoria board. It will allow the minister to convene an advisory panel that will be able to deep dive and have a look at the full range of skills that are required and then make appropriate recommendations to the minister for those very important board appointments.

In summary, while it may not seem to be a particularly complicated bill, nonetheless it strengthens the governance arrangements for Racing Victoria. It delivers on yet another commitment that the Andrews government has made to the people of Victoria —

Mr Ondarchie interjected.

Mr GEPP — You say that, Mr Ondarchie. I was not in this place then, but it was not long thereafter when people took off for a few weeks, probably eight or 10 weeks, to make sure they got the sun on their backs, just after that decision was made. I have a media release from the Minister for Racing of 22 September. He had commissioned the advisory panel, and this was his announcement about the constitution of the new board.

This has been an active commitment that the government has been working on and has been putting into play. It is a great improvement to the governance arrangements in one of the great industries of our state — a very important economic and cultural industry to the people of Victoria. It is certainly one of my great passions, and I commend the bill to the house.

Mr MORRIS (Western Victoria) (13:49) — I rise to make a contribution to the Racing Amendment (Modernisation) Bill 2017. I note that, as Mr Ondarchie has said, the purpose of this bill is to amend the Racing Act 1958 to support recent changes to the constitution of Racing Victoria, which were resolved at a special general meeting on 18 April 2017, nearly 12 months ago.

The main provisions of this bill are to make reforms to support the changes to Racing Victoria's constitution. I clarify that Racing Victoria is not a public entity for the purposes of the Public Administration Act 2004 or the Financial Management Act 1994, given that the board is directly appointed by the minister, as has been detailed by previous speakers. Further, this bill allows the minister to exercise the powers conferred on the minister as adopted in the changes to the constitution in relation to the selection, appointment, resignation and removal of the directors of Racing Victoria, including the chair and deputy chair, as was agreed in the constitutional change.

Indeed, as has been noted, racing is an extremely important part of the Victorian economy. I am very pleased to live in Ballarat, where we have an exceptionally vibrant racing club, an award-winning racing club, who do an excellent job, particularly at the Ballarat Cup, which is now held on a Saturday. It was a hard-fought change by the racing club to get that particular meet on a Saturday, and it is a wonderful celebration of all that is good in racing.

As others have said, not everybody who goes to the races necessarily sees a horse; others just go to socialise and have a chat with friends and the like, which I think is a perfectly valid way of enjoying the races. On the other hand, I do not mind watching fast-racing horses with pretty colours on them. Now, unfortunately I tend to choose the ones that are less fast racing than others, but that is a cross I am willing to bear.

I was pleased recently to hear of the announcement from Racing Victoria that the Ballarat Turf Club was going to be the recipient of a synthetic track. The Ballarat Turf Club have been fighting for this synthetic track for a long period of time. The local member for Rippon in the Assembly, Louise Staley, has been a strong advocate for this investment in the Ballarat Turf Club for a long while, alongside the great work and advocacy of the chairman of the Ballarat Turf Club, Con Powell, and the CEO of the Ballarat Turf Club, Lachlan McKenzie, who together do a great job in leading the committee out there at the Ballarat Turf Club and implementing the important work that is done out there.

Not only is the Ballarat Turf Club a great place because of the great race meets that it has, but it is also the premier regional training facility in Victoria. Not only does Darren Weir, the Melbourne Cup-winning trainer, have his stables at Ballarat but just recently Matt Cumani has also seen fit to move his stables to Ballarat because of the fabulous racing support that is achieved through the training facilities at the Ballarat Turf Club.

Western Victoria has a variety of excellent racing clubs, not just the Ballarat Turf Club. There is also the Geelong Racing Club, which I am sure Mr Ramsay will speak about in just a moment. There is also the great tradition in western Victoria of the May races in Warrnambool, and I note that there was some earlier commentary around this. The May races are certainly an iconic three-day race meet, and many people in the western Victoria community come together to celebrate what is a wonderful and longstanding race meet. I know Mr Purcell is a big supporter of the May Racing Carnival. It is always a great experience to be able to get down there; not only can you go to the horse races but you can also go to the greyhounds as well, which are on at the same time.

This brings me to what is going to happen in November this year. On 24 November there is going to be a choice Victorians are going to be able to make between two coalitions. Either they are going to be able to vote for a Liberal-Nationals coalition — a strong and unified coalition to lead the state of Victoria — or they can choose the Labor-Greens coalition, because the only way that Labor is going to be able to form a government post the November election is with the Greens. A great concern amongst many in a way that relates particularly to this bill is that the Greens, if they had their way, would wipe out racing in Victoria altogether. They would wipe out greyhound racing and they would wipe out the jumps racing that we have in Victoria, and I am quite sure they would both be gone. If Ms Pennicuik got her way, there would be no jumps racing and no greyhound racing. But what we have seen from this government is that there is pretty much a bit of a coalition going on at the moment already, and if there is a future coalition between Labor and the Greens, we are going to see Labor bring the numbers and the Greens bring the policy. That is what we have seen so far from the Andrews government — the enacting of one after the other of Greens party policies. This is what you get when you have a far-left, socialist government as we currently do in Victoria. We are going to see more and more Greens party policy being implemented in our state if there is going to be another Labor-Greens coalition government after the next election. I just remind Victorians that there is an

important distinction that needs to be made between these two potential coalitions.

Mr Finn interjected.

Mr MORRIS — Now, Mr Finn, there was an election on the weekend in Tasmania, and I certainly know that there was a resounding win for Will Hodgman and the Liberal Party in Tasmania. I note that the Greens were reduced to just one seat; maybe that is something we could aspire to at the next election here in Victoria.

Honourable members interjecting.

Mr MORRIS — Well, you just never know your luck. It is the case that I may have got slightly side-tracked there for just a moment.

Darren Weir, the exceptionally successful trainer, is based out of the Ballarat Turf Club. I was very fortunate way back when Darren first came to Ballarat to do a bit of work in his stables, but I tell you what, I was not the most productive person out there. Once I left, the stable went from strength to strength. It is remarkable that that has happened, isn't it!

Not only have we had the great success of Darren Weir in Ballarat; we have also got Michelle Payne, the Melbourne Cup winning jockey. I tell you what: she is just a ball of energy and excitement. One of the things that is brilliant about Ballarat is the fact that we can combine a Melbourne Cup winning trainer and a Melbourne Cup winning jockey and come together. I was present outside town hall for the reception that was held for Michelle and Darren after their Melbourne Cup win, which certainly brought so much of Ballarat together.

I note that the name of the CEO of the Warrnambool turf club is Peter Downs. I tell you what: Peter does an excellent job. I tell you what: that May carnival that we were speaking about earlier is exceptionally well run. It is so well organised by Peter Downs and his team as well as the committee there in Warrnambool, and I am hopeful that I will be able to get along to many more Warrnambool May carnivals. There does appear to be quite a contingent of state MPs at them because we come together to celebrate what it is that is great about racing in western Victoria.

I just do remind members that if that Labor-Greens coalition gets up in November that bipartisan support for jumps racing will be shattered —

Mr O'Donohue — Racing full stop!

Mr MORRIS — Racing full stop, of course, in the state of Victoria. That is right. There will be thoroughbred racing gone, greyhounds gone and the trots — or the ‘red hots’, as they are sometimes referred to — gone, because this is the agenda of the Labor-Greens coalition if they are successful at the next election. This is something that we in Victoria cannot afford to put up with at this point.

I note that not only is there the Ballarat Turf Club and the Warrnambool turf club but there are also many other turf clubs in western Victoria, like the Ararat Turf Club, the Avoca Shire Turf Club and the Burrumbeet turf club. They have races out there — is it on Australia Day? I think it is on Australia Day. Mr Leane might know. There is also the Great Western Racing Club, where you can go out and enjoy some of the great sparkling wine produced at Great Western and also enjoy the races as well.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Metropolitan Fire Brigade enterprise bargaining agreement

Ms WOOLDRIDGE (Eastern Metropolitan) (14:00) — My question is to the Leader of the Government. Minister, today’s *Herald Sun* details veto powers for the United Firefighters Union (UFU) and increases in the sign-on bonus, allowances and wages for UFU firefighters. What is Treasury’s estimate of the financial cost of this Metropolitan Fire Brigade enterprise bargaining agreement (EBA) to the Victorian taxpayer in each year of the EBA and the breakdown of these costs?

Mr JENNINGS (Special Minister of State) (14:00) — I thank Ms Wooldridge for her question. I am pleased at one level that despite what might have been attributed to the EBA in the *Herald Sun* today, what has been made of it across the Parliament and in terms of the commentary that has been run, Ms Wooldridge’s question is comparatively straight in relation to what are the cost structures associated with the adjustments to wages and salaries and the conditions of the workforce. I am pleased that that is the line of inquiry, because in fact that is a matter that I think the community deserves some reassurance on in relation to the value that firefighters provide to our community each and every day and the sorry fact that during the life of the government that she was party to an EBA was not reached. There was not a settlement of wage outcomes for the union. Indeed it fitted into a pattern of inability to reach agreement with the

workforce, whether they be the ambulances, the nurses or the teachers. In fact even the police EBA at that time had some difficulties.

I am pleased to say that this government is a government that actually recognises that we need to reach an accommodation and an agreement with our workforce that provides emergency services each and every day. These are the workers that actually keep our community safe at a time of crisis. At a time when our community is the most vulnerable, these are the workers that provide that support each and every day.

As the Premier indicated on radio this morning when I was listening, ‘I don’t know about you, Jon’, speaking to Jon Faine, ‘I’ve never rushed into a burning building, but if I had rushed into one — if I had actually professionally been called upon — I would have an expectation that I was being remunerated in an appropriate way to cover the risk of exposure for myself, my loved ones and my family, while I am putting my life on the line to acquit my professional responsibility’. So I think it is quite appropriate for workers who provide emergency responses to our community to be appropriately remunerated.

In relation to the cost structures that are embedded within this EBA, I give the chamber a heads-up that in fact the number that is attributed to the wage adjustment not only takes account of what is the term of the agreement of our term in office but indeed is a catch-up for the fact that there was not an agreement reached during the course of the last government. In fact for three years the workforce was waiting before an agreement was even entered into or drafted with this government, and then it was prospectively three years in terms of the way in which it would work. So I think if you actually start deconstructing how long people have waited for a wage increase, if they see the length — effectively a six-year arrangement in relation to the remuneration changes within the base wage structure — then people may not be as alarmed about the cost structures as they might have been at first blush.

In terms of what Treasury has worked through with these numbers, I am happy to seek advice from my colleagues in relation to what they believe to be the attributed cost structures.

What I can be certain of is that whether it be in providing support and backup to volunteer firefighters in terms of equipment, in terms of training or in terms of support, professional development or wages and conditions of professional firefighters, we are a government that recognises our obligation to all of

those who provide firefighting services on behalf of our community.

Supplementary question

Ms WOOLDRIDGE (Eastern Metropolitan) (14:05) — Thank you, Minister, and I look forward to receiving that detail. On 6 February the UFU told members not to sign the EBA. Now, a month later —

Ms Shing — Sign it or vote in favour of it?

Ms WOOLDRIDGE — Vote in favour of it. Union members have now been told by the UFU to support the EBA. What specifically in the EBA has changed during that period of time, such as additional veto powers, bonuses, allowances and increases in wages, for example?

Honourable members interjecting.

Mr JENNINGS (Special Minister of State) (14:05) — I am being encouraged to remind the chamber that it is a proposed agreement that is going out for a ballot of the workforce to see whether the workforce believes it is an agreement worth entering into, and then it will be subsequently forwarded to the Fair Work Commission to determine whether in fact it satisfies the federal registration and compliance regime in relation to an EBA. So that is the process; that is the process that is currently being embarked upon. In relation to what might be the change of heart in relation to the direction that the union leadership may have provided its members in relation to their desire to support the structure of the EBA, as I understand it there have been no changes to the EBA that was drafted on 6 February — if in fact 6 February was the relevant date. I do not believe that there have been any changes made to the draft EBA that was proposed from that time to now. There may have been some understandings about explanatory memorandums or other documentation that are associated with the application.

Fire services equity and diversity review

Ms FITZHERBERT (Southern Metropolitan) (14:06) — My question is also to the Leader of the Government. Earlier this morning the Premier told Jon Faine that he was not aware of the contents of the Victorian Equal Opportunity and Human Rights Commission equity and diversity review of the Country Fire Authority (CFA) and the Metropolitan Fire Brigade (MFB) and nor had he been briefed on the matter. In January the commissioner informed the community that the government had been briefed on the contents. Minister, who in government, either

ministers, ministerial officers or departmental officials, have been briefed on the contents or recommendations of this review?

Mr JENNINGS (Special Minister of State) (14:07) — Thank you, President; in fact I do not want to read much into your furrowed brow while I rise to respond to Ms Fitzherbert's question. I might have had a furrowed brow too, so we might have shared a moment across the chamber.

In relation to my working knowledge of who may have been briefed on that matter at any particular point in time, I believe the relevant ministers who may have been briefed on that subject — and I am not one of them — would be the Minister for Emergency Services and the Attorney-General. I am not certain whether both of those ministers and their officers have been briefed on this subject. I would make the assumption that they both have, but I have not discussed with them what that briefing entailed.

Supplementary question

Ms FITZHERBERT (Southern Metropolitan) (14:08) — I note the minister did not indicate that the Minister for Industrial Relations had been briefed. Today the Premier committed to implementing all of the recommendations of the equity and diversity review of the CFA and the MFB by the commission. How is it good governance of this state when the Premier promises to implement all the recommendations of a review that he has not seen, is not aware of the contents of and has not been briefed on?

Honourable members interjecting.

Mr JENNINGS (Special Minister of State) (14:08) — My colleagues are indicating that in fact this is not the first time the Premier has actually said something of that nature, and indeed they are reminding the chamber by interjection that that is what the Premier said about the family violence royal commission. He did not actually know at that stage that 227 recommendations were going to come down. The ease with which you can deliver on all those 227 concurrently perhaps was a little bit untested by the commission or by the Premier, but in fact now it is a community expectation. In fact the precedent has been set for the assertion that we act in accordance with recommendations that come to us from statutory office-holders or the commissions that the government support and references that were actually made. We will do our best to acquit the recommendations. I believe that the Premier would have said that in good faith. I certainly know, as somebody who is responsible

for implementing some of the recommendations of the royal commission, that it is easier said than done, but nonetheless a commitment was made.

Melbourne Metro rail project

Mr ONDARCHIE (Northern Metropolitan) (14:09) — My question is to the Minister for Trade and Investment representing the Minister for Planning. The Andrews government, through the Department of Environment, Land, Water and Planning, commissioned a \$140 000 report from Pitcher Partners to ‘determine the loss of profits to businesses impacted by the metro rail project’, which was handed to the government in July 2017. So I ask: what was the total loss of business profits identified in the report during the construction phases of the project and how many large, medium and small businesses will be affected?

Mr DALIDAKIS (Minister for Trade and Investment) (14:10) — I thank the member for their question. As is my practice with portfolios that I represent in the other place, I will take that question on notice.

Supplementary question

Mr ONDARCHIE (Northern Metropolitan) (14:10) — Given that many small businesses will be affected by the loss of profits as a result of the metro rail project, many small businesses have already shut their doors. Minister, can you detail what date your department gave a copy of the report to the Minister for Small Business or his office, and if no copy was given, why not?

Mr DALIDAKIS (Minister for Trade and Investment) (14:11) — I thank the member for the question. I find it a curious question where I am now referring a question to a minister in the other place about providing me with some type of evidence or otherwise, but nonetheless I will take that question on notice and see what the minister in the other place has to say.

Honourable members interjecting.

The PRESIDENT — Order! On the basis of the way it was framed, no, it was a question to a minister in another place, as it was worded. So I myself would have answered in the same way that the minister did, which was consistent with the answer to the substantive question.

Melbourne Metro rail project

Ms WOOLDRIDGE (Eastern Metropolitan) (14:11) — My question is to the Leader of the Government. Minister, it has been reported today that Victorian hospitals have had to cancel surgeries and medical appointments because of machine vibrations as a result of Melbourne Metro works. It has also been reported that certain hospitals and health facilities have sought financial compensation from the Andrews government because of these cancellations. Which hospitals or health facilities have sought compensation as a result of Melbourne Metro works and how much has been requested by each?

Mr JENNINGS (Special Minister of State) (14:12) — I thank Ms Wooldridge for her question. I have not seen the media commentary about this matter, and in fact I have not received any briefing on that subject. I am trying to actually think what hospital at this moment may be having work undertaken underneath its location, and I am struggling. In fact I do not believe that there is one that is actually in that situation. However, let us not just speculate about what the impact might be of this extraordinary undertaking that the government has actually commenced upon, which is the metro rail system, and not only the difference it will make to our rail infrastructure but that it will provide support to our citizens in the years to come. It is something that we are very proud to be associated with.

We actually understand that there is, by design, a good reason to connect precincts that have educational institutions and hospitals in them and that in fact these connections may be able to provide easy access for citizens to alight from the train system at precincts where they receive better services or participate in educational or economic opportunities. By design it is a good idea to have an approximation. Of course in terms of the engineering challenge of project management, I think we need to be mindful about the impact, to mitigate the potential impact and to assess what costs may be associated with it. At its heart the question is fair enough, although I cannot off the top of my head think of any circumstances where it may be relevant to the current construction program associated with the Metro Tunnel, but I will take advice on the subject.

Supplementary question

Ms WOOLDRIDGE (Eastern Metropolitan) (14:14) — Thank you, Minister. Vibrations from Melbourne Metro works are not a new revelation. In fact it was extensively canvassed in the environment effects statement at the time. Further, representatives of

the Shrine of Remembrance has expressed concerns, as have representatives of the arts precinct, small businesses down Swanson Street, existing public transport sites and RMIT. Minister, I ask then: has compensation been sought by any other business or government body as a result of vibration due to the Melbourne Metro works, and if so, by whom?

Mr JENNINGS (Special Minister of State) (14:15) — President, I am sure you know, and I know, that this is actually a long trawl that the member has embarked upon. Whether in fact there have been any claims or whether it is anybody's intention to make claims, I know that she is actually doing her best to generate claims. Until we actually work out what the true impact is of project management, let us just work on the facts rather than the speculation about what might happen in the future.

Victoria Police social media policy

Mr O'DONOHUE (Eastern Victoria) (14:15) — My question is to the Special Minister of State. Minister, I refer you to the recent revelations concerning former Victoria Police assistant commissioner Brett Guerin's alleged online trolling and racist, sexist, homophobic and other inappropriate and derogatory comments and his subsequent resignation in disgrace. To you as the responsible minister for oversight bodies in Victoria: what investigations have been undertaken to rule out the possibility that further Victoria Police officers have not been inappropriately using fake online identities or pseudonyms to troll Victorian citizens?

Mr JENNINGS (Special Minister of State) (14:16) — I thank the member for his question. I can actually say to the chamber that last week I had a meeting with the new IBAC Commissioner and we talked about the circumstances around this particular event that Mr O'Donohue refers to: the unfortunate circumstances that have led to the resignation of a senior police officer. The commissioner and I discussed not only further work that may be appropriately undertaken by IBAC in relation to that matter but how it may more generally apply to the scrutiny that IBAC applies to the police now and into the future. I am very confident that that work will be undertaken. IBAC will determine the scope and the method by which that work is undertaken, and I am certain that will be a feature of IBAC's consideration from here on in.

Supplementary question

Mr O'DONOHUE (Eastern Victoria) (14:17) — Thank you, Minister, for that answer. It was revealed

that Mr Guerin's trolling occurred before he was appointed as an assistant commissioner. In the context of your answer and in the context of what Mr Guerin was doing, what will you do to ensure that appropriate due diligence processes are put in place to make government aware of this type of activity before senior appointments are made?

Mr JENNINGS (Special Minister of State) (14:17) — There are two aspects in relation to my responsibility. My responsibility is in relation to dealing with IBAC and the way in which IBAC acquits its statutory obligations and in fact its investigative responsibilities, and then within that it is to allow them to actually undertake that work, as I said in my substantive answer — the way in which they want to scope, the method they want to adopt and the degree of investigating capacity that they put to that undertaking. I will support them in that endeavour. The second issue is what recommendations may come or what systematic change or structural processes they may seek to recommend to the police or to government agencies in relation to actually mitigating that in the future. I and other members of the government will respond to those recommendations. Specifically in relation to any recommendation that comes for police, it is a matter for the police minister and the police commissioner to acquit those recommendations and that scrutiny that you are seeking within the police force.

Public service social media policy

Mrs PEULICH (South Eastern Metropolitan) (14:19) — My question is also to the Special Minister of State. Minister, are you aware of complaints concerning Victorian public servants using pseudonyms or fake media accounts to undertake online trolling activities, and what is the public service social media policy in relation to such inappropriate activities?

Mr JENNINGS (Special Minister of State) (14:19) — I have not been made aware of any circumstances such as the nature of what the member describes. Similar practices that could be undertaken by IBAC in relation to public servants, or employees within the public sector more broadly, in relation to this activity, if in fact it breaches the code of public sector behaviour, could be examined and similar scrutiny brought to bear, and similar recommendations may come out of IBAC scrutiny. But in the first instance you would actually hope that the public service regulates itself appropriately to prevent this happening.

So there are standards of professional behaviour that are set by the public service. Indeed the Department of Premier and Cabinet is the keeper of the discipline that

would be expected across the public sector. In fact they work collaboratively with the public sector commissioner to assess the appropriateness and the cover of various codes of professional standards that should apply across the public sector. Procedures will be in place within each department in the way in which that is assessed, the way that that is monitored and what remedies should actually take place if in fact there are any breaches of the code of professional standards for public service, for this matter or for other matters, that actually may apply in the workplace. That is the framework by which the public sector does and will continue to deal with these matters into the future.

Supplementary question

Mrs PEULICH (South Eastern Metropolitan) (14:21) — The Department of Premier and Cabinet is currently investigating a public servant who made amendments to a federal MP’s Wikipedia page. We have seen government board member John Anderson sacked from a public sector board for vile, disgraceful comments on Twitter; his son, a public servant at the Department of Environment, Land, Water and Planning, investigated for similar comments; United Firefighters Union members targeting MPs, journalists and the wider Victorian community on social media; and disgraceful trolling on Twitter’s #springst thread. Minister, how are you and the Andrews government going to stop the outrageous and scurrilous online trolling behaviour within the Victorian public service, given that your procedures and your code have failed?

Mr JENNINGS (Special Minister of State) (14:22) — I think that is a very tortured construction of a question. I think that the examples —

Mrs Peulich interjected.

Mr JENNINGS — No, it is a tortured example.

An honourable member — Answer the question.

Mr JENNINGS — I will answer the question. Maybe I will seek advice from the world’s expert on Twitter, and the world’s expert on Twitter apparently is in the other chamber — a man who won Twitter, is a world-recognised authority on Twitter. In fact I will seek his advice when we cross paths in Queen’s Hall in relation to knowing how to actually make the most of Twitter, because not only does he make the most of Twitter, he has won Twitter. Beyond that, I think there is an air of desperation in the line of questioning today to give the impression that there is in fact some rampant social media problem across the public service. There are hundreds of thousands of people associated with the

Victorian public sector in one way or the other. We cannot monitor all of them.

Prisoners with disabilities

Dr CARLING-JENKINS (Western Metropolitan) (14:24) — My question is for the Minister for Corrections, Minister Tierney. A report published last month by Human Rights Watch has highlighted how adult prisoners with disabilities from across Australia are at serious risk of bullying, harassment, violence and abuse, including sexual abuse, from both fellow prisoners and staff. They were also found to be disproportionately held in solitary confinement, which can be especially damaging to a person with an intellectual disability. This report found that adult prisons were failing to adequately identify people with disabilities, were ill-equipped to meet their needs and were often lacking in basic services and accessibility, including communication accessibility. Minister, my question is: in light of this damning report across jurisdictions, what action will the Victorian government be taking to ensure that prisoners with disabilities, particularly those with genuine intellectual disabilities, are being addressed, including what assurances can you provide that people with intellectual disabilities will not be held disproportionately in solitary confinement in this state?

Ms TIERNEY (Minister for Corrections) (14:25) — I do thank the member for her question. This is a situation that unfortunately has been the case across jurisdictions for some period of time, and it has been highlighted in a number of television programs in recent times too. This is an issue that I am particularly concerned about. I must say, though, that in terms of the briefings that I have received so far I am satisfied that there is a desire and a commitment to institute procedures and policies that do deal with the issues that are outlined in the report and those that you have also mentioned.

This issue, as I said, is not new, but it is not just in terms of people with a mental disability. It is also acquired brain injury syndrome that is prevalent within the prison community, as well as physical disability issues that we have within the prison system. These are issues that I have placed with Corrections Victoria for a report, a comprehensive report, on what the status is here in Victoria so that we can drill down and deal with those issues that impact on prisoners who do have disabilities as well as those with acquired brain injury syndrome.

Supplementary question

Dr CARLING-JENKINS (Western Metropolitan) (14:26) — I thank you, Minister, for your awareness of this issue, and I look forward to seeing the report or getting a briefing from you on that once you have got some answers back from Corrections Victoria.

Minister, I would just like to drill down on a little bit of an extra point. To avoid reoffending, as you are aware, rehabilitation must be offered to prisoners across the board. My concern is that if people with intellectual disabilities are not being understood adequately within the system and there are so many barriers that they are coming up against, they are concentrating on surviving their experience inside, with little hope of that rehabilitation. I wonder what strategies the government will be putting in place to ensure that prisoners are being adequately rehabilitated — prisoners with intellectual disabilities and acquired brain injury, as you mentioned in your answer, as well.

Ms TIERNEY (Minister for Corrections) (14:27) — Again, I thank the member for her supplementary. These are the very questions that I have asked. I have asked for a breakdown of the types of disabilities people have and what indeed are the measures or processes in place so that the needs of the particular prisoner are being met. As you said, that is obviously part and parcel not just of how a prisoner can interact within the system as it stands but also in terms of any preparatory work that needs to be undertaken prior to leaving the prison system or indeed entering the community.

State care leavers

Ms SPRINGLE (South Eastern Metropolitan) (14:28) — My question is for the minister representing the Attorney-General. On Wednesday, 15 November, I moved a motion in this house regarding the historic criminalisation of child wards of the state, resulting in criminal records for toddlers as young as two years old. The motion called on the government to provide a report to Parliament by 8 March 2018 detailing the extent of the problem and how it plans to redress these issues, including any legislation needed. It also required that report to consider an apology to care leavers for the harms caused to them. Minister, despite the government not supporting the motion, you stated the government's commitment to this work and that the Department of Justice of Regulation had been investigating these historic wrongs since mid-2017. Has this work progressed, and will the government be tabling a report in Parliament on Thursday, 8 March, as requested by this house?

Ms TIERNEY (Minister for Training and Skills) (14:29) — I thank Ms Springle for her question. On behalf of the Attorney-General I can advise the house that there will be a response on 8 March.

Supplementary question

Ms SPRINGLE (South Eastern Metropolitan) (14:29) — I thank the minister for her answer. Minister, have care leavers and care leaver organisations been consulted as part of these investigations?

Ms TIERNEY (Minister for Training and Skills) (14:29) — I thank Ms Springle for her supplementary question. Again, the answer is yes.

Wild dog control

Mr BOURMAN (Eastern Victoria) (14:30) — My question today is for the Minister for Agriculture, Minister Pulford. I read yet another article about the wild dog problem in East Gippsland — how it is growing and the cost, not just financially, to the farmers that these marauding dogs are creating. I note that one farmer has lost about \$10 000 worth of sheep to wild dogs in the last year. This is one farmer alone, and it is only the financial toll. I find it strange that dogs can still only be trapped in the 3-kilometre buffer zone into public lands when this is clearly not working. So my question is: given that it is readily apparent that the 3-kilometre buffer zone into public land is insufficient, will the minister expand the zone for trapping of wild dogs as far as is needed to get a handle on this problem?

Ms PULFORD (Minister for Agriculture) (14:30) — I thank Mr Bourman for his question. As I think Mr Bourman would be aware, the approach that the government takes to wild dog control has many elements to it: baiting; trapping; the team at the Department of Environment, Land, Water and Planning literally being in the areas where wild dog breeding activity is most active; and the bounty. The government has put in place a range of measures, including very importantly the input of landholders and people with good local knowledge about wild dog attack activity. Our advisory committee seeks to consider measures that are needed and to review existing arrangements to ensure that we are always putting in place the best possible combination of measures to manage wild dog control.

Mr Bourman, I guess by the way which he asked his question, seeks for the buffer to be expanded. Conversely there would be others in the community who would seek for the buffer to not exist at all. The buffer was put in place by the former Labor

government. We believe it is an effective measure and have no plans to change that. Having said that, we are always open to advice from experts and people who are affected by wild dog activity about the types of measures that we need to take at different points in time. We have doubled the aerial baiting program, and we will continue to work with landholders to ensure every possible action is taken to manage the wild dog population.

Supplementary question

Mr BOURMAN (Eastern Victoria) (14:32) — I thank the minister for her answer. I guess I am covering off a little bit. Taking note that I oppose poisoning in general because of its cruelty and the effects on the environment, I am also a realist and know that sometimes it is the best option. The government is currently running a trial of aerial baiting that will finish in December. My supplementary question is: will the government take a more overarching approach and fund the Department of Environment, Land, Water and Planning to allow aerial baiting, expanded trapping and more shooters, both professional and recreational, in a wider context to tackle this problem head-on?

Ms PULFORD (Minister for Agriculture) (14:33) — I do agree, Mr Bourman, with your assessment that you are always a realist. Again, as I indicated in my answer to the substantive question, we will continue to take advice from the wild dog advisory committee. We have no intentions of stopping the aerial baiting program. Quite the contrary, we did double it. We have a workforce of trappers. The bounty is an important complement to those measures, and we will continue to diligently support our landholders to manage wild dog control to the best of everyone's collective efforts.

QUESTIONS ON NOTICE

Answers

Mr JENNINGS (Special Minister of State) (14:34) — I have 60 written responses to the following questions on notice: 11 040, 11 440, 11 483, 11 506, 11 528, 11 550, 11 572, 11 784–817, 11 867, 11 870, 11 873, 11 877, 11 888–9, 11 899, 11 902, 12 281, 12 292, 12 430, 12 432–3, 12 453, 12 463–4, 12 478, 12 484, 12 539.

QUESTIONS WITHOUT NOTICE

Written responses

The PRESIDENT (14:34) — In respect of today's questions I require a written response to Ms Wooldridge's initial substantive question to Mr Jennings in two days; Ms Fitzherbert's substantive question to Mr Jennings, one day; Mr Ondarchie's substantive and supplementary question to Mr Dalidakis, which involved a minister in the other place, two days; and Ms Wooldridge's substantive and supplementary question to Mr Jennings, two days.

I have just got a couple of matters that have been referred to me, and then I will take points of order. In the first instance, I have a question from Mr O'Sullivan to the Minister for Training and Skills. I am certainly seeking the reinstatement of this question, but can I also just make the comment that I am actually concerned about the nature of the answer that was prepared on the minister's behalf because it is a debating answer and an answer that reflects on the opposition but makes no attempt to actually answer the question, which of course is the purpose of me asking for a written response. We obviously have guidance, as we all know, with respect to the responses that the minister is asked to provide to the house in terms of their being apposite and factual and so forth. I would expect to apply the same test to a question for which a written response had been provided. The nature of the answer on this occasion, if the minister had wished to make these points, might well have been pursued by way of a members statement or such like, but certainly I do not believe that it meets the requirement of the house for a response in terms of a question without notice.

I also have a question that Ms Wooldridge submitted to the Minister for Training and Skills. Having reviewed the answer to that one, I am also of the view that that one should be reinstated.

RULINGS BY THE CHAIR

Questions on notice

The PRESIDENT (14:37) — Ms Wooldridge has written to me in respect of a question on notice — it is question 12 335 — and it is a question to the Minister for Agriculture on behalf of the Minister for Public Transport. I am of the view that the answer to that question is not responsive to the question that was asked, and I would therefore seek the reinstatement of that question on notice as well.

QUESTIONS WITHOUT NOTICE

Written responses

Ms Bath — President, my point of order relates to receipt of a written response from the Minister for Training and Skills based on a question put last sitting week to do with the Victorian training guarantee. Indeed the written response was requested so that the minister could view the transcript from the Public Accounts and Estimates Committee (PAEC) report in relation to this. The response is disappointing and inadequate. It basically suggests that I go and contact the committee for a response. In effect my feeling is that when you ask a minister in the house, the buck stops with the minister to provide the response. It is not for the minister to suggest I go to the committee; otherwise we could just bring PAEC into this house. So I ask that you reinstate the question for the minister.

The PRESIDENT (14:38) — Ms Bath gave me the courtesy of actually supplying this question to me previously. I have reviewed the question, and I am of the opinion that it ought to be reinstated for a further answer. The basis of that is that irrespective of what might happen in other forums, such as a PAEC hearing or indeed any other forum, including even a news conference or suchlike, I do not believe that it is appropriate for reference in the response by a minister to that external activity. Indeed if a question is posed in this place, then I believe the response ought to be made back to the member putting that question in this place.

References on occasion in questions on notice sometimes elicit responses that suggest members should visit websites or annual reports and trawl for the information themselves. I must say that on occasions when I have had staff follow up those references, they have been unable to find any information that is in any way apposite or relevant to the questions that were asked, and therefore the answer is disingenuous and, I think in some ways, a discourtesy to the house. It is important, as I said, that if a member poses a question in this house, notwithstanding that it might have been asked in multiple forums outside this house, the fact is that the question ought to be directly answered to the member in this house and in my view should not rely on some external source.

Mrs Peulich — President, the point of order that I would like to raise is in relation to the answer that I received from the Special Minister of State to my supplementary question. I ask that you consider requesting a written response, the reason being that I thought the minister's response was lighthearted, if not flippant, on what is actually quite a serious issue,

because trolling occurs at one level but it can actually morph very easily into cyberbullying, and we know what that can do. The answer that the minister gave was that there were two extremes: that this sort of conduct could generate IBAC scrutiny and that there are procedures and policies in place. Now, I would have thought that there is a wide range of actions that could be taken between those two to actually address a very serious problem, and I do ask that you seek a written response to the supplementary question, if for no other reason than to actually force the government to think about what actions can be taken in between those two extremes.

The PRESIDENT — The purpose of questions is not to force the government to do things; the purpose of questions is to find out if a government has taken action or is planning action. It is not about pushing the government.

Mrs Peulich interjected.

The PRESIDENT — Of course you can ask. Look, I did give consideration to this one. I was a little concerned about the preamble put to the question. I did think that the minister did cover off on the fact that there were measures in place. I will seek a written response on the supplementary, and that is one day.

CONSTITUENCY QUESTIONS

Northern Victoria Region

Ms LOVELL (Northern Victoria) (14:42) — My question is for the Minister for Emergency Services and relates to the Kialla & district fire brigade and their application for an Enhancing Volunteerism Grants program grant for an extension to their fire station. Kialla & district fire brigade is an enthusiastic brigade of 25 members, passionate about supporting their local community. Like many other Country Fire Authority brigades, the membership at Kialla is predominantly male, but the current members are committed to broadening their membership to better reflect the gender and ethnic diversity of the local community.

Plans have been drawn up for an expansion of the station that involves the construction of male and female toilets and separate change room facilities. Kialla & district fire brigade has had quotes that indicate they will need around \$194 000 to complete this extension. The brigade plan to contribute \$15 000 of their own funds and are seeking a grant of approximately \$180 000. Will the minister give a commitment to funding the planned renovation and refurbishment at the Kialla & district fire brigade by

supporting the brigade's grant application through the Enhancing Volunteerism Grants Program?

Western Victoria Region

Mr PURCELL (Western Victoria) (14:43) — My constituency question is to the Minister for Roads and Road Safety. The Port Fairy Folk Festival will be held this weekend and already thousands of people are pouring into the village. During this weekend the population will swell from somewhere around about 2500 to tens of thousands of visitors. Considering this is one of the busiest weekends in the south-west, it is surprising to me why VicRoads has taken this opportunity — only yesterday — to commence work on the Princes Highway near the Sun Pharma factory into the middle of Port Fairy. This is not the first time this has happened. Cars, trucks and caravans are at this very moment backed up for miles on the highway. I remind the minister that events do happen outside Melbourne and ask: does the city-centric VicRoads management ever consider what is happening in a local area before doing their planning works?

Eastern Metropolitan Region

Mr LEANE (Eastern Metropolitan) (14:45) — My question today is directed to Lisa Neville, Minister for Police, and it concerns her announcement yesterday about the 825 new police that are graduating from the police academy. It resulted in a constituent, Annette — I will not say her last name; she rings my office a lot, sometimes pleased with what the government has done and sometimes not very pleased with what the government has done — saying this particular announcement was music to her ears but she would like to know how many of the new police officers the chief commissioner will allocate to the east of Melbourne. So my question to the minister is exactly that: how many of the new police officers will be allocated by the Chief Commissioner of Police to the east of Melbourne?

The PRESIDENT — That is Eastern Metropolitan Region?

Mr LEANE — Yes.

Western Victoria Region

Mr MORRIS (Western Victoria) (14:46) — My question is to the Attorney-General, and it comes after a spate of incidents where a number of cyclists have been knocked off their bikes in Ballarat. This is something that has unfortunately happened all too frequently, and there have been some quite significant injuries that have occurred to a number of cyclists as a result of these

scenarios. I have had a constituent whose son was unfortunately involved in one of these incidents come to see me, and he has asked me to ask whether or not the government has any plans to strengthen the penalties for motorists who knock cyclists off their bikes.

Western Metropolitan Region

Dr CARLING-JENKINS (Western Metropolitan) (14:46) — My question is for the Minister for Public Transport, and it concerns the Buckley Street level crossing removal project in my area. I have had constituents come to me who are concerned by the Level Crossing Removal Authority's new plan to turn Sherbourne Street in Essendon into a two-way street at the intersection with Buckley Street. My constituents are particularly concerned that not only will this remove the current car parking spaces used by train commuters but, a lot worse than this, it will increase the risk to the safety of hundreds of students from the nearby Lowther Hall Anglican Grammar School and St Columba's College.

Currently students utilise the northern end of this street as a safe crossing point because it is a one-way street and has a low volume of traffic. However, the proposed changes will mean the students will have to watch out for traffic in both directions and for traffic feeding in from both Buckley and Rose streets. So my question to the minister is: has the government considered leaving the northern end of Sherbourne Street as a one-way street, and if not, what assurances can be given that the changes will not compromise the safety of students and other pedestrians?

Western Victoria Region

Mr RAMSAY (Western Victoria) (14:47) — My constituency question is to the Minister for Regional Development, the Honourable Jaala Pulford, and it is a matter that I have raised in this chamber before in respect of the proposed Geelong convention centre. As members would know, I have asked the minister on many occasions to make available for scrutiny the business plan for this particular convention centre, which I understand Regional Development Victoria and the Geelong Authority have ticked off on and is on the minister's desk. Last week the Assembly member for Geelong, Christine Couzens, said on the Pulse radio station that in fact the design, drawings and architectural layout will be made public shortly. My question to the minister is: if she does not want to release the business case and the member for Geelong has indicated that the government is prepared to release the design, layout and architectural drawings, when

exactly will the Geelong community, which is a large part of my constituency in Western Victoria Region, get to see these drawings and the architectural layout of the proposed Geelong convention centre?

Eastern Metropolitan Region

Ms DUNN (Eastern Metropolitan) (14:49) — My constituency question is to the Minister for Local Government, and it is regarding the Nillumbik Shire Council's decision-making around its notice to sell 17 parcels of land. On Wednesday, 31 January, a two-page advertisement appeared in the *Diamond Valley Leader* giving notice of council's intention to sell land. The evening before, on 30 January, the Nillumbik Shire Council came to a decision to sell that land. The community have been concerned about the integrity and robustness of that decision-making, particularly given that that local newspaper would have in fact been printed for distribution on 31 January. The question for the minister is: what actions will the minister take to ensure that integrity has been maintained and proper processes followed in relation to that decision-making of the Nillumbik Shire Council?

Western Metropolitan Region

Mr FINN (Western Metropolitan) (14:50) — My constituency question is to the Minister for Roads and Road Safety. The Bulla-Diggers Rest Road has increasingly become a busy thoroughfare between Sunbury Road and the Calder Freeway. Roadworks, followed mysteriously by a 20-kilometre cut in the speed limit, have been conducted on this road, but that in no way recognises the importance it now has for local traffic and vehicles from much further afield. In particular the bridge over Deep Creek is only one lane, and vehicles must wait on one side until those from the other side have completed their journey. Clearly this is totally unsatisfactory. What plans does the minister have to duplicate this very busy bridge and ease traffic congestion on Bulla-Diggers Rest Road?

RACING AMENDMENT (MODERNISATION) BILL 2017

Second reading

Debate resumed.

Mr MORRIS (Western Victoria) (14:51) — I will continue my contribution on the Racing Amendment (Modernisation) Bill 2017 where we left off prior to question time. I note that with regard to this bill, as detailed by Mr Ondarchie, there has been a significant change from what the minister initially intended with

regard to the way these reforms were going to be introduced. Initially the minister wanted to be able to accept and consider minority recommendations from the advisory panel. He has a government representative on that panel, so in effect what he could have done in that scenario is say to his representative, 'Well, this is the outcome I want'. The advisory panel itself might not agree, but because the minister has a representative on it he could have got his way in the end anyway by adopting that minority recommendation. This in effect just strips out any reason to have the advisory panel in the first place.

So I am pleased to see that the minister, who is also the Attorney-General, has backflipped on that after this was brought to light. As we all well know, sunlight is the best disinfectant; it is when such plans come to light that they no longer come to fruition as a result of the community understanding the implications that they may have.

Mr Leane — What about disinfectant?

Mr MORRIS — Disinfectant? What did I say?

Mr Leane — Disinfectant would be the best disinfectant.

Mr MORRIS — It may be, depending on which brand you use, Mr Leane. The leaked correspondence also showed that the minister would have been able to make board appointments outside of those recommendations from the advisory panel — again, another get-around by which the minister could have just appointed more Labor mates to the advisory panel rather than having them recommended to him in this manner.

The leaked correspondence further went on to say that the initial plans were to give the minister the power to remove a board member at any time and replace him with a ministerial appointment without forming an advisory panel. It would have been just another get around to be able to get his or her way, depending on who the minister was. It is pleasing to see that this has now been scrapped and we are seeing the current bill that is before us. Obviously these backdowns have seen the minister saying he will not accept minority reports from the advisory panel and nor will he have the power to make appointments outside of these recommendations and the like. It is important when these types of changes are being made that the community is well aware of the impacts of them, because if the minister, or the Attorney-General, had have got his way in the beginning, he would really have had carte blanche to do whatever it was he wanted. It was pleasing to see that that information was brought to light.

I just want to conclude by saying that racing in Victoria is incredibly important not just for those who are directly employed in the racing industry but for the further flow-on economic impacts that racing has, as well as for the great social time that can be had at the races.

Mr Finn interjected.

Mr MORRIS — Mr Finn, I do attend a race meet on the odd occasion. I was fortunate enough last year to go to three — I think I went to the Ballarat Cup, the Melbourne Cup and the great May carnival down in Warrnambool. They are great events.

Mr Ondarchie — Was Ms Pulford there?

Mr MORRIS — I think I did see Ms Pulford in Warrnambool. I actually saw Mr Herbert at the Melbourne Cup as well. They are great events, and I certainly thank all those who volunteer at their racing clubs, and I congratulate all of the great trainers, jockeys and others involved in the industry who do the great job that they do.

Ms PENNICUIK (Southern Metropolitan) (14:56) — The bill that we have before us — the Racing Amendment (Modernisation) Bill 2017 — is a very short bill. It does little if nothing to improve governance of racing in Victoria; it does a little bit if not much at all. It all comes from the government saying that they wanted to avoid conflicts of interest in Racing Victoria, where in the past the board of Racing Victoria has been appointed by the members of Racing Victoria. This bill came to fruition after a special general meeting of the industry body members of Racing Victoria held on 18 April last year to put in place a new constitution which came into being on 20 June last year.

I have to say I wrote myself some notes when I first saw this bill and I said, ‘Well, this bill does something, even if it’s not much at all’. It raises concerns that the whole thing is still very in-house, with the advisory panel that has been set up under the new constitution to advise the minister on who should be on the board of Racing Victoria made up of virtually the same players making recommendations to the minister rather than comprising directly nominated board members, as in the past. I thought to myself, ‘There should be more independent people on the board, but there won’t be; it will basically be the same as before’, and that has turned out to be the case.

Previously the board members were appointed directly by the industry bodies of Racing Victoria — the Victoria Racing Club, the Melbourne Racing Club, the

Moonee Valley Racing Club, Country Racing Victoria, the jockeys association and also the owners and trainers association. Paragraph 9.3 of Racing Victoria’s new constitution sets up an advisory panel that will be constituted by the Secretary of the Department of Justice and Regulation; a nominee of the minister; a nominee appointed directly by the Victoria Racing Club, the Melbourne Racing Club and the Moonee Valley Racing Club; a nominee appointed by Country Racing Victoria; and a nominee appointed jointly by the industry body members. The panel will be chaired by the secretary of the department or his or her nominee. So basically instead of direct representation the advisory panel is made up of virtually the same people as before. This advisory panel advises the minister on the suitability of candidates for appointment as directors of the board, it can replace any director whose term of appointment has expired or is due to expire and either they are ineligible for reappointment or the minister has determined not to reappoint them, and it can fill a vacancy in the office of the director.

I notice also in relation to the selection criteria that the Secretary of the Department of Justice and Regulation or his or her nominee will, in consultation with the chair, prepare selection criteria for the appointment of directors having regard to the collective skills, knowledge and competency requirements of the board and in particular the importance of the board having strong knowledge of the Victorian thoroughbred racing industry, both metropolitan and country; wagering; animal welfare; and governance, finance and integrity issues. The new board has all of those except anything to do with animal welfare. I was hopeful that the government would take the opportunity, given all the problems with animal welfare in racing, to actually appoint someone with a strong animal welfare background and with skills and experience to the board, but it has not. So we have ended up with a board not much different from the previous board.

I just want to read out the skills of the people that were appointed to the board late last year. I am not going to read out their names, because I am not taking issue with or casting aspersions on the persons themselves; I am just taking issue with the skills that are represented and the interests that are represented by the board. We have one member with a background as a chief financial officer with a large company who is also a member of the Moonee Valley Racing Club. Another member is a banker and also a member of Country Racing Victoria. Another member has a background in accountancy and is a member of the owners and breeders association and the Melbourne Racing Club. Another member is a member of Racing.com, has a gaming background and is a member of the TAB. Two of the members are

members of the racing integrity commission, which is good, but they also have a background in harness racing and other racing. Another member is from country racing and from the media, and another one again is from Racing.com and an interstate thoroughbred racing authority.

The board is made up of basically racing interests, as it has been in the past. This bill, which vests power in the minister to appoint board members and is based on the report from the advisory committee that was made up of the industry body of Racing Victoria, leads us to a board that is basically no different from boards in the past. It is very, very focused on racing and gambling interests. That is the situation we have always had, and it is a situation that will not change with the implementation of this bill.

The issue of a conflict of interest has not been addressed by the very small change of setting up an advisory body and the ministerial appointment, because we still have a basic conflict of interest in that Racing Victoria is the promoter and the apparent regulator of racing. That in itself is a conflict of interest that I have raised in this place many times before, and it is not addressed at all by the bill. The bill puts in place almost, but not quite, business as usual.

All the speakers in the session before question time were basically members of the cheer squad for horseracing in Victoria. They spent the large majority of their time talking about how wonderful horseracing is and how much it contributes to the economy et cetera. There was a slight reference to the doping scandal that has been playing out in our newspapers and across the television over the last few weeks. One newspaper reported that the doping crisis can be linked to every major track in the state and more than 100 horses. Every major racetrack in Victoria and 100 horses are implicated in this doping scandal that has been going on, from what we can work out, for eight years, right under the noses of Racing Victoria and its racing integrity council, which have not picked this up. The racetracks that have been implicated in this doping scandal —

Mr Dalidakis interjected.

Ms PENNICUIK — The minister may think this is worth belittling, but I do not think the people of Victoria do. This is a very big problem of 100 horses being doped in the state of Victoria, which the minister seems to think is not a problem by way of his interjecting during my contribution. This has occurred at race meetings held at the Melbourne tracks, such as Flemington, including the Melbourne Cup, Moonee

Valley, Caulfield and Sandown, and leading country tracks at Geelong, Bendigo, Ballarat, Sale, Cranbourne, Werribee, Mornington, Pakenham, Wangaratta, Swan Hill, Seymour, Ararat, Kyneton, Echuca, Bairnsdale, Hamilton, Wodonga and Benalla. Eight people, including group 1 winning trainers, have been charged with 271 counts of breaching the rules of racing, and five others have been charged with engaging in a practice that was dishonest, corrupt or fraudulent, or improper or dishonourable, and in that they were party to the administration of alkalising agents and medications to a horse or horses on race days.

This is a very serious matter which has been playing out across the media. It has been going on for years under the nose of Racing Victoria. In fact I looked at the website of the office of the racing integrity commissioner, which was put in place to oversee the three racing codes. There is not a mention of this on its website. What is the racing integrity commissioner doing? What is the regulator doing? We have a situation where Racing Victoria has this huge doping scandal going on under its nose. At the same time as it is supposed to be regulating the industry it is also the promoter of the industry. It is a direct conflict of interest.

The Minister for Racing has been quoted as doing completely different things. At one time he was publicly questioning the Racing Victoria integrity unit by saying:

... there's no doubt that integrity in the past has not been as strong as it should be ... So there's no doubt integrity has been on a journey ...

but that it is improving. Not really. In another article he is quoted as saying that it is a credit to Racing Victoria's integrity team that they have uncovered this. They have uncovered it after a very long time of it occurring and, I would suggest, not necessarily by its own activities. If people get up in here and suggest that this bill is going to improve the governance of Racing Victoria, I suggest that is not the case.

Mr Dalidakis interjected.

Ms PENNICUIK — It is my view because there is an inherent conflict of interest in the roles of Racing Victoria. They conflict with each other, and that is the problem.

Mr Dalidakis interjected.

Ms PENNICUIK — It is a statement of fact that you cannot be the promoter and the regulator at the same time.

Mr Ondarchie — On a point of order, Acting President, I was of the view that speakers were to speak through the Chair. The member is being constantly harassed by the minister as she tries to make her contribution. Maybe you could ask the minister to desist and let her speak through the Chair.

The ACTING PRESIDENT (Mr Elasmarr) — There is no point of order. The member to speak through the Chair.

Ms PENNICUIK — Thank you, Acting President. Of course the other problems we have with racing in Victoria are issues that Racing Victoria does not face, such as the huge problem of wastage in thoroughbred racing. I have talked about that in terms of greyhound racing. It is an issue that the community has become very aware of in terms of greyhound racing. Thousands of greyhounds are put down every year just because they are not good at racing and at winning money for the owners and trainers. The fact is that everyone knows that the adoption programs can never deal with the number of greyhounds that are put down as a result of greyhound racing.

This is also a very big problem in horseracing. It is one that a large number of people in the community are aware of but also one that a lot are not aware of either — that is, that there are a large number of horses that are either injured, are not winning races or are not capable of winning races. Again there is the issue of overbreeding, which is a problem in thoroughbred racing. There is the same problem of wastage. I agree with the call from the Coalition for the Protection of Racehorses for a 1 per cent betting levy and a 1 per cent levy on prize money to put into a program to assist with rehoming racehorses.

There are other problems that continue in horseracing, such as racing in the heat, which we have seen at certain events where horseraces still go ahead when the temperature should result in a race being cancelled. Temperatures have been over 38 degrees and into the 40-plus degrees range and races have still been going ahead and horses have been forced to run, even in quite long races which should be cancelled.

Of course there is the ongoing problem of the use of whips in horseracing, which the public is also concerned about. There was even a Senate inquiry as far back as 1991 that recommended that whips be taken out of horse racing and that jockeys just use their skill to ride horses rather than whipping them to force them to run faster. Some countries have in fact gone as far as banning whips in horse racing, so it is not unheard of. Whipping is a cruel and unnecessary practice, and I

think it would be great to see Victoria be one of the first places in Australia to get rid of the whip in racing — and great to get rid of it throughout Australia as well.

Of course there is the ongoing problem that we have in Victoria and South Australia with jumps racing. Only Victoria and South Australia allow jumps racing; it is banned everywhere else in the country because it is cruel and inherently dangerous. Sixty-two horses have been killed in Victorian jumps racing in the last 10 years. That is a lot of horses given the relatively small number of jumps events compared to the overall number of flat race events.

There is a very high percentage of horses that are killed in jumps racing, not to mention those that suffer catastrophic injuries. In fact jumps racing horses are 18 times more likely to suffer a catastrophic limb injury and are 120 times more likely to suffer a head, back or neck injury. Anyone who cares should take the time to look at the footage of some of the injuries that have occurred just in the last year or in the last two, three, four or five years — of horses falling in jumps races, breaking their necks, snapping their forelegs in half and still running around and then the racing authorities bringing out a large green screen to kill the horse on the track. That people still think this is the sort of activity that we should be allowing in this state really does defy belief. So many horses are killed and injured doing it, and the injuries they suffer are catastrophic and unacceptable.

It is up to the Attorney-General and Minister for Racing to take the decision to bring us into line with the rest of the country and stop jumps racing. We are now facing another jumps racing season, which is beginning soon, where again we will see horses injured and killed on the track. This racing minister, the previous government's racing minister, Dr Naphine, and the previous one, Mr Hulls, all said the decision is up to Racing Victoria. Well, it is not; the decision is up to the government. The government can stop it. They can outlaw jumps racing as it has been outlawed in places like Queensland for decades. No other state except for Victoria and South Australia allows jumps racing. May I say that a few years ago the South Australian Jockey Club also came to its own view to oppose jumps racing. What is noticeable as well is that apart from Sandown Park none of the metropolitan tracks allows jumps racing anymore. It is only Sandown Park that does, and apart from that jumps racing is only held at country tracks.

The Greens will not be opposing this bill, which does virtually nothing at all. The bill does not address the conflict of interest that exists in the structure of Racing

Victoria, which is to promote racing and to ostensibly regulate it — but, as we have seen, it has failed in terms of the doping scandal that is unfolding at the moment. Of course it is a conflict of interest, and there needs to be much better governance and oversight of the racing industry in Victoria than there currently is.

Governments are always beholden to the racing industry. Many MPs accept racing passes et cetera to go to the racing, so that is a conflict of interest as well. We still have a long way to go in terms of overcoming the conflicts of interest in the racing industry.

Mr Dalidakis — You won't be happy until we all hug a tree and eat tofu!

Ms PENNICUIK — The minister has been interjecting throughout my whole contribution. There are many people in the community who do care about the welfare of horses in horse racing, and it is not well looked after. We had the opportunity for someone with strong experience and a background in animal welfare to be appointed to the board — that is in the selection criteria as agreed to in the new constitution of the members of Racing Victoria — but that opportunity was not taken. So we have got a board with a skill set similar to the last board — a board made up of people directly from gambling and racing clubs along with owners and trainers. Nothing has changed in the state of Denmark.

Mr O'SULLIVAN (Northern Victoria) (15:18) — It gives me a lot of pleasure to rise this afternoon to speak on the Racing Amendment (Modernisation) Bill 2017. As most of us know in this chamber, racing plays a significant role not only in this state but also in this country. But more importantly than all of that, it plays a significant role in country Victoria — and I will certainly say a whole lot more about that.

Before I get into that I just want to speak a little bit about the bill. A lot of it has already been covered by some of the other contributions. Essentially we see that the bill will make some reforms to Racing Victoria's constitution. The bill clarifies that Racing Victoria is not a public entity for the purposes of the Public Administration Act 2004, and it also provides some powers to the minister in relation to being able to look at board positions. I will not go into too much detail about that. Mr Morris went into it in some detail, as did Mr Ondarchie. But it was a little concerning to see that there were some notes for a letter that was leaked in relation to where this bill was probably originally going to go in terms of the minister being able to essentially make board appointments outside the recommendations of the advisory panel. It is certainly of concern when you hear about those sorts of letters getting leaked into

the public domain and when we know the real intentions of where the Minister for Racing wanted to go with this. I think we are fortunate that that did not occur. The minister wanted to be in a position where he was able to appoint people of his choosing to the board. That does not always bring about great outcomes in terms of those appointments.

In terms of racing more generally in Victoria and country Victoria, I am from a racing family myself. I grew up around racehorses. My father was an amateur jockey. In fact he won his first three races as an amateur jockey. He was a trainer for many years. I remember having to get up on many cold mornings and go riding track work with him, so I have done quite a bit of horseracing and riding myself. I rode in a few amateur races in my younger days. In 1988 I actually rode the winner of the Patchewollock Cup. I cannot remember the name of the horse, but I have still got the trophy in relation to winning the cup. The unfortunate thing about it, though, is that my brother has the trophy at his house, out in his garage, and he claims to this day that he was actually the winner of the Patchewollock Cup on that occasion. But evidence we found later on was a photo of me riding the winner, and it said on the back, 'Winner of the Patchewollock Cup in 1988'. He still kept the trophy, although I proved him wrong. He was not the winner on that occasion. Hopefully at some stage in the future he will give that trophy back to me, but I am not holding my breath on that one.

Mr Dalidakis — Was it the bicentennial cup?

Mr O'SULLIVAN — No, it wasn't. When I was growing up on the farm both my uncle and my father were horse trainers. Every weekend or every second weekend we would hook the float up to one of the vehicles, put one or two horses in and go down to the races, whether they were at Warracknabeal, Horsham, Swan Hill, Mildura or wherever we needed to go. Sometimes we would go a lot further south to go to race meetings. We were fairly successful when I was a kid. I can remember coming home from the Warracknabeal races on several occasions where we had had two winners from two starts. So when I was a kid I thought winning races with horses was fairly easy, because we seemed to do it fairly regularly.

Certainly the highlight of our family's racing career was a horse called King Artist, which was a very good country sprinter. He was owned by my father and Geoff Harnell from Ouyen. King Artist won several races in the country and also went down to Flemington and won a race there. It was a great achievement for a bush horse from Patchewollock to go down to Flemington and win a race. My father was very proud of that achievement

because he trained the horse himself. Tassie Pegus was the rider on that occasion. It was tremendous. A print showing King Artist winning that race proudly sits on the wall of the house up at Patchewollock, where I was born.

Racing was certainly a big part of my growing up. We used horses on the farm for a whole range of reasons. We used to muster sheep and cattle on horseback and then we would race them as well. So I have a lot of fond memories about riding track work, although riding track work is just about the hardest thing you can ever do. It takes a lot of energy to do it. Only after you have actually done it yourself do you have some sort of appreciation for the strength and fitness of the jockeys who ride racehorses and do track work at race meetings day in, day out. I take my hat off to them because it is a difficult job. It can be a dangerous job. Horses at full gallop are going pretty quickly and you have got a lot of horses all around you. The work they do is exceptional.

I just want to go on to talk about some of the actual contributions that racing makes to our great state and particularly to the regions. Obviously the big publicity race meetings tend to be the Melbourne Cup carnival at Flemington. You have got the Cox Plate meeting, you have got the Melbourne Cup, you have got Victoria Derby Day, you have got Stakes Day and obviously Oaks Day. They are the big ones. The Caulfield Cup you could also throw in there. They are probably the six big meetings, which get all the publicity — and rightly so. You have the best horses not only from Australia but from the planet racing at those events, particularly the Melbourne Cup, which is our feature race, obviously. It brings a lot of publicity, a lot of jobs and a lot of economic activity to our state, so it plays a significant role.

Racing in Victoria generates about \$1.5 billion worth of spending, so it is a big industry that contributes a lot. Racing employs about 72 000 people across the state, and it is pleasing to see that about 20 000 of those jobs are actually in regional Victoria. In 2017 — last year — about 560 000 people attended country race meetings. You do not have to go far, but you can also go a long way to get some great racing in country areas. It is part of the lifeblood of country Victoria.

You can go to a whole range of cup meetings, you can just go to a picnic meeting or you can just go down the road. You can go to Donald, you can go to Stawell, you can go to Mildura or you can go to Stony Creek. Wherever you want to go, there will be a race meeting every month or so. You can go along and see some great animals that have been trained to the minute.

They look fantastic. The jockeys dress up in their colours. Lots of people come along. The trainers put in a lot of effort and the owners invest a lot of money in the sport. It goes a long way in making an economic contribution to the state, but it is also a great activity to go along to. You can have a bet if you wish to. If you do not wish to, you can just sit there and watch the magnificent animals as they walk around in the parade yard. That is one thing that I like to do — go and have a look at them and see if you can pick the best looking horse. It might be the fastest one without actually having to look at its pedigree or its racing form. You can see whether you have an eye for horses. It is something that I try to do. Alas, I am not very good at it; I am sure others are much better at it than me.

I want to look at what country racing brings to the state. Currently the number one trainer in the whole of the country is a guy called Darren Weir. Darren Weir is a country guy. He was born and bred in a place called Berriwillock, far up in the Mallee.

Mr Ondarchie interjected.

Mr O'SULLIVAN — Actually, Mr Ondarchie, if you look at the stats — I had a look before — I think he is number one. He is number two in New South Wales. You might be right for New South Wales, but across the whole of the country Darren Weir is rated number one and is certainly number one in Victoria. Darren Weir started his training career with my second cousin, Terry O'Sullivan, who currently trains out of Stawell and has been doing so for a long, long time. Darren Weir has gone on to show some great traits as a trainer. He has been the leading trainer around the place for quite a few years now. He was a Melbourne Cup winner not last year but the year before. He is certainly doing a great job. He is currently based out of Ballarat.

Mr Gepp — What is the name of that horse?

Mr O'SULLIVAN — No, I did not mention the name of the horse. I do not want to get into mentioning any of those horses, but I am about to in a minute, Mr Gepp; I will certainly be doing that. You are starting to see now that the top-line trainers do not actually want to have their horses in metropolitan areas, particularly in Victoria. We are seeing the top-line trainers wanting to actually base themselves out in the country because they think that a horse out in the country is a much more relaxed animal than it would be in the city. We all know how congested the city is getting, so you could understand that, with the noise and the congestion and so forth in the city, horses are much more relaxed if they are out in the country, walking around on the nice green grass. You can always understand that.

David Hayes, who is from a very big training family — his father, Colin Hayes, was a very good trainer in the 1970s, 1980s and 1990s — now situates himself up in Euroa in Mr Gepp's and my electorate of Northern Victoria Region. There are a lot of great trainers up around the northern area. In my home town as well I am very proud that when I get home just as I turn right at the roundabout, if I look to my left, I see this statue of a great horse called Black Caviar, which we all know had 25 starts for 25 wins and was born and bred at Nagambie up in northern Victoria. That horse was trained by Peter Moody, who is a great ambassador for the racing industry. Black Caviar had 14 group 1 wins, I think it was, and 25 starts for 25 wins.

It is great when you see horses like that coming from the country and not only showing up the city horses but having the opportunity to race at Ascot in England and cleaning them up over there as well. It was great to see the achievements of Black Caviar. Black Caviar's jockey was a guy called Luke Nolen. Luke Nolen is from a town called Manangatang up in the Mallee. There is a lot of good sporting talent in the racing industry up in the north-west part of the state.

Mr Ondarchie — Including yourself.

Mr O'SULLIVAN — No, I was not including myself in that, Mr Ondarchie. I certainly was not. But there is Luke Nolen from Manangatang. Manangatang was renowned for its footballers up in the district when I was young. Whenever you played against Manangatang you certainly knew it. Luke Nolen went on to be a jockey and rode Black Caviar for most of those 25 wins — certainly a great result.

There are many race meetings around regional Victoria. People should go along as often as they can and support the local communities. What we need to do is ensure we encourage people from the city to go out and see country racing at its best. What we see now is that it is very difficult to win a race in Melbourne. When you go to a country meeting you will find that all the city trainers have taken their horses out into the country to try and get them qualified for the city, so the standard of racing out in the country is exceptionally high. It is exceptionally hard to win a race, because quite often if you go out to a race meeting at Swan Hill, Darren Weir will have three starters in every race and David Hayes will have a couple of starters in every race. It makes it a bit difficult for the trainers from the farms, like my father was when I was a kid. To take a horse, to breed it and to do all the work to get it to a race meeting to try and win a race is quite difficult nowadays.

I have had the pleasure of seeing Black Caviar race. I have seen Black Caviar win twice, which was great. I have kept the race book from both events. Just last spring carnival I had the pleasure of seeing Winx for the first time. That was a pleasure as well, considering the calibre of horses that we have here in Australia, although Winx is from New South Wales. It won another group 1 last weekend. Does that make it 15 or 16, Mr Gepp?

Mr Gepp — Fifteen.

Mr O'SULLIVAN — That is a record for Australia. Winx is doing some great things in bringing up the profile of racing right across the country. The great horses that Australia has produced in the last couple of decades have been absolutely staggering. Hopefully we can continue to do that, because the racing industry is something that we all should be very, very proud of. It does a lot of good things for this state, and it does a lot of good things for regional Victoria in particular. It brings recognition from those overseas raiders who come over here to try and win our prize money. Our prize money is very high compared to that of many other race meetings around the world. Our racing industry, our racing fraternity and the people involved in it are something we should all be proud of. The opposition will not be opposing this bill.

Mr FINN (Western Metropolitan) (15:33) — I rise to speak on the Racing Amendment (Modernisation) Bill 2017. It has to be said that my connections with the racing industry are not exactly as salubrious as Mr O'Sullivan's, so I am almost honoured to be in his presence when speaking on this bill today. Let me tell you: the sport of kings is one that does run in my blood, because for my very first job when I began working at radio 3DB way back — from memory I think it was 1979 — I had the responsibility of getting the news and the races through to the relay stations. That is what I did. I would listen carefully to the end of the news and then hit the button to make sure that we caught the first horse jumping and that we got that right around Victoria and indeed into southern New South Wales. I would be sitting there listening to the news. They would give the news, and all of a sudden you would hear, 'Racing!'. That is what I did day in, day out for quite some time. It probably bored me a bit stupid after a while, but it was a good start.

I worked with bloke called Bruce Stewart. Many of you may not remember Bruce Stewart, but he was quite an extraordinary individual. Bruce is in fact a friend of mine on Facebook these days. He has retired, I think, down on the Peninsula. Bruce had me in awe. He would go behind the desk on a Saturday afternoon.

There would be races from Melbourne, Geelong, Bendigo, Sydney, Adelaide — you name it. He had race meetings everywhere, and he was coordinating all of this totally off the top of his head. It was absolutely amazing what he did. I do not think I would be able to do it ever, but he did it every Saturday afternoon. He was listening in one ear to himself and in the other ear to whichever race meeting was about to jump. He would be able to throw to that race just in time for the punters to hear it.

As I said, it was quite an extraordinary beginning to my professional life to be in that atmosphere, particularly working with people like Bill Collins, who we will all remember as the Accurate One. He was a bloke who I found to be an absolute delight to work with and somebody who certainly knew his horseflesh. He was very, very hard to get a tip out of. If he had a good tip, he was not letting on, let me tell you. Another bloke I worked with was Ray Benson. Now, there was a man who would give you a tip.

Mr Ondarchie — Racing Ray Benson.

Mr FINN — Racing Ray Benson. I think he is still living down there in Moonee Ponds, somewhere just near Moonee Valley Racecourse. He would be very happy to give you a tip, and he used to give me tips on the dogs. I have to say that my time backing the dogs was not ragingly successful. It was not the greatest time in my life, so I gave it away after a while. I found out that losing your money in about 35 seconds flat in those days — in the late 70s and early 80s — was sort of like the pokies on four legs. The dishlickers were very much like that, so I gave that away as a bad joke. Ray Benson gave me lots of good tips. It was great to work with people like Bill Collins, Ray Benson and Terry Clifton — some of those really great blokes — who were great names. I am sure if you are old enough you will remember them from television and radio, and some of them are still involved in the racing industry of course.

Bill unfortunately went to God some years ago. I recall being out at Caulfield Racecourse at Bill's funeral and the grandstand being absolutely packed. That was not entirely surprising given the enormous respect that he commanded, not just in the racing industry but also in the media industry, because he was first and foremost an entertainer. When you talk about Bill Collins you automatically remember the Accurate One and you remember the race caller, but you do forget sometimes that he was a great entertainer. He did a lot of singing and dancing. He was on the *Penthouse Club* and shows earlier than that that I cannot actually remember the

name of. They may come to me as the afternoon progresses, and I will get back to you on that.

It was a great honour and a great joy for me to work with those people. It instilled in me the importance, I suppose, to so many people of racing in Victoria and indeed in Australia. Cup Day in itself is the ultimate sporting event in Australia many would say. It is an iconic event. It is, as they say in the classics, a race that stops the nation. I well remember being in Perth last year about a month before the Melbourne Cup, and everywhere I looked pubs and restaurants were advertising, 'Come here on Cup Day', 'We've got this on Cup Day', 'We've got that on Cup Day' and 'Come in and we'll look after you'. It was obvious that it was not just a Melbourne event; Perth was well and truly going to come to a close on Melbourne Cup Day as well.

I remember back in the dim, distant past when I was working in Sydney, with Sydney itself supposedly not really caring what happens in Melbourne — so they say — but in fact Sydney pretty much came to a close as well, and I think that has not changed over a lot of years. The Melbourne Cup, the pinnacle of racing in this country, is something that is a part of our soul. It is a part of our soul. It is a part of the fluid that runs through our veins. It is not just the blood, it is the Melbourne Cup as well.

I am thinking back to a few years ago when I was at the Cox Plate. I had been invited by the committee into the committee room to have lunch and watch the Cox Plate, and it was a very, very pleasant afternoon, I have to say to you. There were a number of us.

Mr Ondarchie interjected.

Mr FINN — I cannot remember who won, Mr Ondarchie, but there were a number of us. Look, you have got me thinking now, and I just cannot think who won. It was a horse that if you run a few names past me I will remember, I am sure.

An honourable member interjected.

Mr FINN — No, it was not Phar Lap. No, Phar Lap was stuffed by that stage — and I was pretty much myself by the end of the night. I cannot remember; it was a few years ago. But I recall as the afternoon drew on we may have had a cup of tea or a glass of something else and a number of us might have been quite relaxed as the afternoon progressed.

An honourable member interjected.

Mr FINN — No, it wasn't that; I'm not going back that far. I was sitting next to the then chairman of the Victoria Racing Club (VRC), and we were chatting about a whole range of matters. I made a dreadful faux pas; I made an appalling mistake, and I know Mr Gepp is over there looking at me incredulously. He is thinking, 'I cannot believe that Mr Finn would make a mistake'. I can see that written all over his face — 'I cannot believe that Mr Finn would make a faux pas'. What I said was, 'The biggest sporting event in Australia is the AFL Grand Final'.

Ms Pennicuik — On a point of order, Acting President, I just raise the matter that the speaker has strayed away from the subject of the bill, and I ask you to bring him back to the subject.

The ACTING PRESIDENT (Mr Elasmarr) — I understand your point, Ms Pennicuik, but I do not uphold the point of order.

Mr FINN — The VRC chairman at the time, who was next to me, was horrified — absolutely horrified — and when I look back on it I can understand why. He let forth in no uncertain terms about the importance of the racing industry, not just to Melbourne or to Victoria but indeed to Australia. He let forth at some length in fact about the importance of the racing industry.

Mr Gepp interjected.

Mr FINN — I should have said that, Mr Gepp, yes; I should have said that. If indeed we were talking about the Melbourne Cup last year, of course it was nowhere near as important as the grand final after a magnificent Tigers victory. Although I have to say I have lost a fair bit of money over the years going to the races and backing horses in Richmond colours. It does not always work. I was left in no doubt that day of the importance of racing to the economy of Australia.

Of course in my own electorate down in Werribee we have a place, the Werribee Racecourse, which is a very important place as a lead-in to the Melbourne Cup, because that is where all the overseas horses come to. They go there and they do what they have to do beforehand. I was down there a couple of years ago with then Premier Denis Napthine, and we had a very enjoyable morning watching those overseas runners warming up and preparing for the big day. So Werribee itself is a major contributor to the success of the Melbourne Cup.

Of course in my own electorate, again, there is Moonee Valley and across the river there is Flemington. As much as I love Moonee Valley, and I do love Moonee Valley, Flemington itself is just magical. There is a

feeling about Flemington Racecourse, there is a feeling on Cup Day in particular, that cannot be beaten. It cannot be beaten. It is surely something that once felt will never —

Mr Dalidakis — Really? What about the Richmond grand final win?

Mr FINN — I am talking about racing, Mr Dalidakis.

Mr Dalidakis — You said the feeling can't be beaten.

Mr FINN — Well, it can be beaten when you are talking about footy, but I am talking about racing here. I think you should pull him up, Acting President. I think somebody should take a point of order on him.

It is just an extraordinary feeling to be at Flemington among the roses on Melbourne Cup Day. I remember my first Melbourne Cup; I did not see a horse. And I reckon there would be a lot of people who were in exactly the same situation — they did not see a horse that day. Nonetheless, I have been to the cup many times and enjoyed it.

Mr Ondarchie interjected.

Mr FINN — I had more than a dash that day, I can tell you. We enjoyed it immensely. Of course the VRC has very successfully turned that into not just a race meeting but a major party for Melbourne now. The VRC is to be commended, and Amanda Elliott, the chair of the VRC, is to be commended on her leadership of that organisation.

Mr O'Sullivan brought back some great memories for me when he mentioned Black Caviar. No, I am not a great racing fan, but I do have photos of Black Caviar on my wall, and I have actually been to race meetings just to see Black Caviar run. I love that horse. It certainly was — I hope it still is — when it was running, a sight to behold.

Mr Dalidakis — She — shame on you.

Mr FINN — She — well, it may be transitioning; you would not know. There are all sorts of things going on these days. She was a magnificent sight to behold. I went to a number of race meetings, mainly at Moonee Valley it has to be said, just to see Black Caviar run, because she was absolutely amazing.

As has been said by Mr O'Sullivan, the opposition will not be opposing this bill. I think it is important that we unite as one — well, perhaps unite as five, as it might

be in this house at the moment — to support the racing industry and ensure that the people in the racing industry know that they have the backing of government and that they have the backing of individual members of Parliament. Those of us who are fortunate enough to have racecourses within our electorates know the importance of those racecourses, and indeed the racing industry, to the economic success and the general wellbeing of the community. We will not oppose the bill and will urge members to support it at the appropriate time.

Ms BATH (Eastern Victoria) (15:49) — I am pleased to rise this afternoon to speak on the Racing Amendment (Modernisation) Bill 2017. As I do so, I would like to go through certain elements of the bill and then talk about racing in general and the importance of racing certainly in regional Victoria and in my patch of Eastern Victoria Region.

The purpose of the bill is to amend the Racing Act 1958 to support recent changes to the constitution of Racing Victoria, as resolved at a special general meeting almost 12 months ago, in April 2017. The special resolution related to a proposed reform plan for the Racing Victoria board of director appointment process, in line with amendments from the Minister for Racing, Mr Pakula, back in December 2017. The racing board's wishes and requirements include really wanting to have a new process put in place, a new board and rules around that board established, including a new CEO, which has already occurred, so they can get on with doing the right thing and running the business of Racing Victoria in a proper way. In effect then, The Nationals, as my colleague Mr Luke O'Sullivan has mentioned, certainly hold a 'not oppose' position and will see this bill go through the house.

The provisions of the bill are to make necessary reforms to support those changes to the constitution. The bill clarifies that Racing Victoria is not a public entity for the purposes of the Public Administration Act 2004 or the Financial Management Act 1994, given that the board is appointed by the minister. It also allows the minister to exercise the powers conferred on them as adopted in the changes to the constitution in relation to the selection, appointment, resignation and removal of directors of the board of Racing Victoria, including the chair and deputy chair, as agreed to in the constitutional change.

The bill before us today is certainly a reworking or a reincarnation of what the minister initially proposed and wished to occur, but he had to amend his initial desires due to a document coming into the public domain. The shadow minister, Mr Bull, had a

conversation with me in relation to what the minister was thinking in regard to that leaked document. That document in its original form indicated that the minister would accept and consider recommendations from a minority of the advisory panel — that is, a sub-panel — on which he could have a representative; that he could also allow the board to make appointments outside the recommendations of the advisory panel; and on top of that, that the minister could also have the power to remove a board member at any time and replace him or her with a ministerial appointment without forming an advisory panel. This was the initial track that the minister was on, but he has had to backtrack and propose the current bill before us today.

The minister has said in relation to that that he will not accept minority reports from the advisory panel, that he will not have the power to make appointments outside the recommendations of the panel, that he can only remove a board member for bringing racing into disrepute and that the replacement must go through the panel rather than the minister having that appointment power himself. The minister said it is not appropriate for the board to be chosen by the people or organisations that it regulates; however, when you look at the people who are on the board, there are many who are in the organisations that it will then regulate. I take Ms Pennicuik's point on that; there certainly seems to be some crossover. Indeed there is a concern about how they will truly regulate the industry that they stand in. There needs to be quite a rigorous format around that, and the minister certainly needs to keep his eye on it.

There are five representatives on that advisory panel: one from the metro clubs; one from Country Racing Victoria; a rep from a stakeholder — for example, owners, trainers or jockeys; a departmental representative; and a representative from the minister's office, who will be replaced by the current RV chair in the future, I believe within a year.

In respect of that and the board, in relation to the minister and his appointing those departmental people to those positions, it certainly is a concern. There needs to be full transparency around those appointments because we have seen with other appointments — and while the Labor Party will say they are merit based, and they may well be on one level — to some other boards and entities have had great Labor affiliations.

On the positions of those entities, I will give the example of the Latrobe Valley Authority. The current CEO happens to be a former teacher and somebody I know quite well. She was also the former president of the South Gippsland branch of the Labor Party, and now she heads up the Latrobe Valley Authority. So I

caution the minister, and I request that the minister certainly look at those people and ensure that it is not a case of jobs for the boys or jobs for the girls just because of their affiliation to the Labor Party. We have seen other examples. The Victorian Fisheries Authority is a case in point. Racing Victoria particularly would just like to get on with it, and I hope that it works.

Finally, in relation to the importance of country racing clubs all over Victoria, there are 67 —

Mr Dalidakis interjected.

The ACTING PRESIDENT (Mr Elasmr) — Order! The member is to continue without interjection.

Mr Dalidakis — Do you want to make that slur across the chamber?

Ms BATH — It is in not a slur. It is actually a fact about the Latrobe Valley Authority.

Mr Ondarchie — On a point of order, President, Ms Bath is entitled to be heard in silence, as the minister often demands when he is speaking. Could I ask you to ask him to desist his interjections while Ms Bath is trying to make a comment?

The ACTING PRESIDENT (Mr Elasmr) — I just did that, Mr Ondarchie. The member to continue.

Ms BATH — Thank you, Acting President. The importance of racing in small country towns across Victoria is quite paramount. In terms of my own region in Gippsland, I have been doing a bit of research and I know that not just horse racing but also greyhound racing is quite important. For example, the East Gippsland racing region is responsible for generating more than \$49 million in value-added contribution to the gross state product. Also, within that there are almost 500 equivalent full-time jobs. The economic value is highly important for those living in and around the East Gippsland area, particularly those fantastic clubs such as Buchan, up there in Omeo and the little one in Swifts Creek — I drove past it the other day and the racecourse actually has cows and sheep grazing on it. They get it ready once a year for a fantastic event where the community comes to the fore. It is very important in terms of community spirit, but it is also important in terms of fundraising. Indeed with Gippsland racing if we look at the more centralised locations of Baw Baw, Latrobe and South Gippsland, this region generates almost \$60 million in value-added contribution to the gross state product and also has around 500 full-time equivalent jobs.

If I look right next door, not far from my home, the Stony Creek Racing Club is a fantastic organisation run by CEO Sarah Wolf and president Paul O'Sullivan. They are a great club insofar as not only do they put on fantastic days that are very well run but the events are actually run by community organisations. In the last financial year the racing club provided \$16 000 back into the clubs that helped run those events. I will give you some examples of how that happened. The Meeniyian and Stony Creek pony clubs organised all the horse movement and care and stabling of the horses at the Stony Creek Racing Club for the race meetings during the year. The Alberton Football League, the other AFL which is also near and dear to my heart — the Allies — runs the social club and the bar at the racing events at Stony Creek. The Foster Netball Club also runs the ticketing booth, and Deb Allott does a tremendous job down there. All of the proceeds of their daily activities go back to the Foster Netball Club. The Venus Bay Surf Lifesaving Club is an absolutely fabulous and supportive club. Venus Bay is a tremendous place, but it has a steep descent into the ocean and a number of holidaymakers really need and use that surf lifesaving club for safety when swimming. The club runs the ladies day, which I attended and enjoyed tremendously, and also runs the car parking. These are just a few of the many examples of how local sporting and volunteer communities raise funds for their worthwhile activities.

Finally, the Stony Creek and Meeniyian Country Fire Authority brigade runs a fantastic crayfish raffle, which I put a fair amount of funds into. That was probably the most worthwhile amount of funds that I put into the day. I also had a nice bit of a tinker on the races when I attended a meeting there in January. I certainly enjoyed it — and I came out even, which I think was a plus. The other thing that happens with all racing events across the state is the support of retail outlets, such as those in the fashion industry. Our local businesses certainly provide great fashion, shoes, hats et cetera. That is an important way to have businesses continue to flourish in our areas.

With that, I can say that I expect the bill to have a speedy traverse through this house. I know that there are a number of questions that the shadow minister, Mr Tim Bull in the Assembly, has raised with us to talk about in committee of the whole. The Nationals certainly have a position not to oppose this bill.

Mr O'DONOHUE (Eastern Victoria) (16:02) — I am pleased to follow my colleague in the Eastern Victoria Region to also make some remarks on the Racing Amendment (Modernisation) Bill 2017.

I follow Ms Bath in noting the role of Mr Bull, the member for Gippsland East in the other place and the shadow Minister for Racing in the opposition, because Mr Bull has an extensive and detailed knowledge of the racing industry — in fact, one that I think is hard to surpass. His knowledge of horses, their backgrounds, their records, and racetracks around Victoria in particular is extremely impressive. We have spent some time at different points discussing various racecourses and horses and the like, so he is most worthy to be the shadow Minister for Racing in the opposition, and he is doing a great job.

As other members have mentioned, the purpose of this bill is to amend the Racing Act 1958 to support recent changes to the constitution of Racing Victoria, as was resolved at the special general meeting that was convened and held on 18 April last year. That requires this legislative change. The opposition, as has been outlined, is not opposing this bill. The bill makes those necessary reforms to support the changes to the Racing Victoria constitution, clarifies that Racing Victoria is not a public entity for the purposes of the Public Administration Act 2004 and gives the Minister for Racing some power to exercise authority, as adopted in the changes to the constitution, in relation to selection, appointment, resignation and removal of directors of Racing Victoria, including the chair and deputy chair.

In speaking of members and directors of Racing Victoria, I just want to reflect, as I did briefly at the time of his passing, on the career and the support of the racing industry by Mr Geoff Torney of Ballarat, who I was fortunate to know from when I was a teenager through to his passing just some months ago. He was a fierce advocate for the racing industry, a long-time member of the Ballarat Turf Club — a former president — and heavily involved at Moonee Valley Racing Club as chair for a number of years, and I believe they now have a race named after him in his honour. He represented so much of what is positive about the racing industry. It is its own community, it brings many people together, it supports thousands and thousands of jobs, and it is part of our culture, part of our tradition. Mr Morris this morning referred to the Warrnambool carnival that takes place in May every year. Growing up I was regaled with stories about ancestors who would be at the Warrnambool races every year.

In relation to Eastern Victoria Region, racing plays an important part in the community and the economy. Ms Bath mentioned that the East Gippsland thoroughbred industry contributes \$31.8 million to gross state product, and harness and greyhound racing adds another \$17.5 million, for a total of nearly

\$50 million contributed to the economy, which in anyone's language is a lot of money. In central Gippsland \$59.6 million is contributed to gross state product as a result of the racing industry. I know personally a number of trainers and breeders through the Corinella-Bass Coast area, who have invested significant funds and run very professional organisations. The O'Brien family, for example, in Corinella run an outstanding operation and have been very successful.

I particularly want to pay tribute to the Pakenham Racing Club. When I was first elected I met with members of the Pakenham Racing Club, who gave me the run-down on their master plan to move basically from what is now the outskirts of the Pakenham CBD near the railway station to a new facility — land they had purchased at Tynong — and build a new track with an extended straight so that they could attract higher value races. The straight at Pakenham was too short to attract the best horses. With a new stabling complex proposed, in a blue-sky way they were hoping to have a synthetic track, racing at night under lights and a full precinct in the complex. When Don Duffy, the chairman, and Michael Hodge, the CEO, first briefed me about this proposal in 2007 it really did seem like an excellent idea, but whether it would ever come to fruition was unknown and uncertain, with all the planning obstacles, the financial obstacles, and dealing with government, racing authorities, the Cardinia Shire Council, the local community and the existing racing community. It really did seem like that might be a stretch too far.

But here we are in 2018. The relocation has taken place. The former racetrack is now being developed and will provide housing to people within walking distance of the railway station, which is an excellent planning outcome, and within walking distance of the Pakenham commercial precinct. The new racecourse at Tynong is absolutely magnificent. It has a fantastic entrance, a wonderful turf track, and importantly a synthetic track, which has provided, particularly in winter time, a great resource for racing throughout Victoria. It is an alternative to the synthetic track at Geelong. When weather gets the better of other racetracks, there is an opportunity where they can race at Pakenham, which has generated a number of extra meets and a great deal of activity. Under the Napthine government funding was provided to assist the development, and the installation of lights has occurred, which allows racing to occur at night-time, providing another different offering.

The availability of lots for trainers has seen trainers move to the area. We know that training is getting more

difficult at racecourses closer to Melbourne, yet Pakenham provides quick access to the M1 corridor and training allotments that give extra space and the opportunity to train in first-class facilities. Other facilities have been installed as part of the infrastructure developed for the Pakenham Racing Club, and all this has been done by the volunteer committee, whose members have given so much of their time. As I said, under Don Duffy's leadership thousands of hours have been expended on making this happen, with hundreds of meetings with department officers, racing officials, members of Parliament and all the rest of it.

The outcome is a win-win for the community, in my opinion, with a real economic hub being generated at Tynong. It is generating jobs for the growing Warragul-Drouin communities and for the Pakenham community. It is a hub for racing, freeing up land in the Pakenham CBD close to transport and services, which is often a criticism of developments in the growth corridors — that they are not close to transport and services — and it has been a good outcome for racing as well. That is something I want to put on the record.

We are also lucky in Eastern Victoria Region to have what was the Mornington Racing Club and is now part of the Melbourne Racing Club, which provides a great community service as well. The Mornington Cup is a great day. Often farmers markets and other markets are held at the racecourse as well, and the racecourse provides a clear boundary for that urban growth and development of the Mornington township and plays an important function in that role as well.

But not all the racing clubs throughout the region are as large as that or attract professional trainers. A number of times I have had the pleasure of attending the Balnarring Picnic Races, which is another fantastic day when the community comes together, often with people celebrating various different things in an amazing picturesque setting amongst the gum trees. The picnic races provide an opportunity for those who are keen on racing but perhaps do not have the time or resources to pursue things professionally to have their horses have a run and for others to watch good country racing. Similarly through Stony Creek, Bairnsdale, Sale, the Latrobe Valley and other parts of Gippsland, racing is an important part of the economy and part of the social activity of many people, and it is part of the culture of Victoria and Eastern Victoria Region. So I am pleased to speak on this bill and pleased to note the contribution that racing makes to my electorate.

We should also acknowledge the contribution that racing makes through the Spring Racing Carnival and the other main meets throughout the year. We are very

lucky in Victoria that the Spring Racing Carnival has become, over decades, such an enormous contributor to the economy and to jobs, and it spurs visitation by people from interstate and overseas, which is a great thing for our economy. Ms Bath mentioned the different industries — fashion, millinery, food and beverage and transportation. A whole range of industries benefit from the racing industry and particularly the Spring Racing Carnival, that is such a feature of the calendar in Victoria.

Again I would like to acknowledge my colleague Mr Bull, who has principal responsibility for this bill from the perspective of the opposition. His knowledge of the racing industry is deep and profound. Under his leadership the opposition will not be opposing this bill. We note the changes that are proposed and we note the rationale for the changes to the constitution that now need ratification or, in effect, the consent of the Parliament. I note that in preparing for the bill the opposition sought feedback from a range of stakeholders, including the Thoroughbred Racehorse Owners Association, the breeders, a number of racing clubs and a number of other key stakeholders associated with this bill.

With those words, I would like to again acknowledge the contribution that racing makes to Eastern Victoria Region, from the smallest country race meets to the larger professional racing clubs at Pakenham, Mornington and elsewhere. I look forward to this bill being considered through the committee of the whole.

Mr RAMSAY (Western Victoria) (16:17) — We will go from the east to the west now in my contribution. Before I provide some information to the chamber in respect of the benefits that racing provides to Western Victoria Region I would just like to note that the bill amends the Racing Act 1958 to clarify that Racing Victoria will not become a public entity for the purposes of the Public Administration Act 2004 or the Financial Management Act 1994 as a result of changes to the constitution adopted by shareholders at the special general meeting which was held on 18 April 2017. The bill also amends the Racing Act to specify that the minister may perform any functions, exercise any powers and carry out any duties conferred on the minister by the constitution in relation to the selection, appointment, resignation or removal of directors of Racing Victoria, so the minister basically has the authority to hire and fire directors of Racing Victoria.

I did want to in my contribution pay tribute to the former Minister for Racing in the previous government, Denis Napthine, who is also a resident of Port Fairy in Western Victoria Region, who I believe did a lot to

stimulate country racing right across Victoria. His support of returning uncollected dividends from the TAB back into country racing and country racing clubs really provided a huge stimulus to improve and upgrade facilities right across Victoria. I was really pleased, as a government member for Western Victoria Region, to visit many of these turf clubs around the region and make announcements of funding that enabled those clubs to upgrade their facilities. I fondly remember many of the smaller clubs, like Stawell, installing new barriers. Certainly for Ballarat, a larger one, we were working with Lachie McKenzie to provide the uphill training facilities and also the plastic moulding barriers around the mounting yards. These were not large, significant investments, even though the regrassing of the turf was, but those smaller things that turf clubs tend to put on the to-do list for a time when funding becomes available. Many of those racing clubs were able to make the most of the opportunity of those unclaimed dividends to be able to upgrade their facilities.

I note, certainly in Western Victoria Region, that in fact the economic value of racing is in excess of \$100 million, so a considerable percentage of the total economic value of racing is returned to Victoria. I have a list here which Mr Ondarchie has kindly provided to me. Many of these turf clubs I have very fond memories of: Camperdown Turf Club; Casterton Racing Club; Coleraine, which I visited many times as a young boy; and Dunkeld. I still go to the Dunkeld races post the derby every year, and it is well supported by many thousands of not only locals but also many coming from Melbourne. That country race meet in November at Dunkeld is now a bit of an icon, and obviously with the Grampians in the background that provides a fantastic backdrop. In fact it is, I believe, one of the most picturesque turf clubs you will find anywhere in Victoria. Mortlake Racing Club I must say I have not been to for some time. Hamilton I do visit on occasion. There is also Terang and Warrnambool — I have had many a pleasurable moment down at Warrnambool particularly through the May carnival, which is coming up very soon. I expect to see Mr Pakula and Ms Pulford there as they always seem to be there every year enjoying the festivities of the three-day racing carnival down in Warrnambool. It is very well supported.

Ms Pennicuik — Including the jumps horses that get killed.

Mr RAMSAY — I might see you down there too, Ms Pennicuik. I know you enjoy the festivities around creating economic value in our regional cities like Warrnambool. Of course we have got harness racing at

the Hamilton Harness Racing Club and the Terang Harness Racing Club, which is lit up with lights as you go down the Princes Highway, and the Warrnambool Harness Racing Club is hard to miss.

I see Mr Purcell has entered the chamber, and we know what a strong advocate he is for the racing industry, particularly in the south-west corner of his electorate. I will never forget that Denis Napthine took us to the Warrnambool greyhound racing; I think it was part of the festival down there. As Denis does, he just walked into the local — it was not a pub; in fact it was a stall — where the punters were and made himself known and entered into the festivities without any security or anything. He, as we know, loved both greyhounds and horseracing and was very comfortable in a crowd of those participants and spectators. I think his role as Minister for Racing in the previous government, as I said, provided a huge stimulus to Country Racing Victoria and all those little country clubs that I have identified.

I would also like to acknowledge the economic value of racing in the Barwon region, in which I live, which is just a little bit more than the western district region — over \$106 million or about 3.8 per cent of Victoria's total. Again there are some very strong clubs in the region, including the Ballan Jockey Club and the Colac Turf Club. I know that Terry Mulder, the Minister for Roads in the previous government, was a very strong supporter of the Colac Turf Club, and in fact Colac is my home town.

Geelong Racing Club, which has James Wilson as its chair, as Mr O'Donohue said, has the synthetic course plus the turf course, and it is strongly supported by the Geelong community. It has a very important race just prior to the Melbourne Cup. In fact on most occasions the Geelong Cup provides — more often than not — some placings in the Melbourne Cup from that race, so many see it as a precursor to or providing a trial run for potentially the winner of the Melbourne Cup. That has happened on a number of occasions. It does have some special history in providing a field for potential winners of the Melbourne Cup. I look forward to attending the Geelong Cup festivities.

It did give me an opportunity when I was in Ballarat to visit Darren Weir's complex. Darren is a household name in the racing fraternity. He has very good stables at Ballarat and trains his horses down in Warrnambool, and he was able to provide us with the rider of a Melbourne cup winner in Michelle Payne. Unfortunately, as we know, Michelle got injured quite badly and is still trying to resurrect her riding career, but nevertheless it was a time in history in having both

Michelle and Darren work as a team to produce a Melbourne Cup winner. As I said, the Ballarat Turf Club is going from strength to strength.

In essence while this bill really is just a governance bill, I think it is important to acknowledge the significant economic and social value that racing provides in country Victoria. As I have indicated in my contribution, many of the upgrades and much of the stimulus of country racing were born out of the previous coalition government and, I believe, partly driven by the then Minister for Racing, Denis Napthine, who was extremely passionate about country racing. In fact I remember during the Warrnambool May carnival Gai Waterhouse and Denis were pitted against each other in a question and answer session, and I have to say I think Denis won by a nose in relation to questions asked about the history of horses and winners of the Melbourne Cup over many, many years — which is quite a feat, given that the Waterhouse family is obviously synonymous with racing. All credit to Denis: he was not just a figurehead Minister for Racing in the government. He was also passionate about it, knew the history of it and, as I said, put his money where his mouth was in respect to making sure — and I am sure he had some interesting discussions with the Treasurer at the time — those unclaimed dividends went back into country turf clubs, which I think has been fantastic for the industry, as we have seen over the years.

The Nationals have indicated they are not opposing the bill. We in the Liberal Party have indicated we are not opposing the bill, and I look forward to its passage through the house this afternoon.

Ms LOVELL (Northern Victoria) (16:27) — I rise to speak on the Racing Amendment (Modernisation) Bill 2017, which is a bill to amend the Racing Act 1958 to support recent changes to the constitution of Racing Victoria, as resolved at its special general meeting on 18 April 2017 — so it has taken a little while to get to the house.

I would like to talk particularly about the importance of racing to country Victoria and in particular of that importance to the area where I live, which is the Goulburn area of the state. Racing is important of course right across our state and right across my electorate of Northern Victoria Region. In fact on 7 April I will be attending the Bendigo Jockey Club's Golden Mile Race Day, which will be another great event. I have often attended the Bendigo Cup, which is another of their great events. We have fantastic picnic race days right across my electorate, at Hanging Rock as well as at Dederang, which are great tourist

destinations in northern Victoria that bring many people to our area because of the racing industry.

The racing industry is extremely important to country Victoria. It provides employment and opportunities for the community to participate in racing. It also provides a nursery for the racing industry. Country racing is the nursery of the racing industry. It is where families take their children. It brings through the next generation of people who are interested in the sport. They may be interested as spectators, but they also may be interested as people who will be employed in the sport in the future. We have families at events, and we have young trainers who get their first opportunities in country racing. We have young breeders who get their first opportunities in country racing and also young jockeys who get their first opportunities in country racing.

But of course country racing is about more than that. In the Goulburn region where I live the economic value of the racing industry is around \$227.4 million annually; it is quite a big industry. It equates to about 8 per cent of the total impact generated by the racing industry in the state, and that all comes within that small area. It generates also the equivalent of 2243 full-time jobs, and with nearly 8350 individuals participating in the racing industry as an employee, volunteer or participant, it is estimated that one in every 18 adults has direct employment or participatory involvement in the racing industry in the region. This makes the Goulburn region one of the most active regions in terms of race participation.

On the employment side we have a whole range of people who are employed in the racing industry. There are breeders, the staff of the breeders, the owners and syndicate owners, trainers, stable employees as well as participants in producing racing animals. There are also full-time and part-time club staff, casual and contractor club staff, club volunteers, jockeys, apprentices and all sorts of stewards and industry administration staff, so there is a wide range of direct employment opportunities. But the industry also gives service clubs great opportunities to raise money. They man the gates at country racing event venues and earn money for their service clubs. They provide catering at racing events. It is certainly a great economic driver in our community at all levels. There is a particular butcher in my area who loves racing events because he supplies the meat for those events, and he often tells me how fantastic it is when there is a racing event in the region.

We have 2354 races in the Goulburn region annually. That is a lot of races that are run. Across thoroughbred racing there are 467 race days; harness racing, 743 days; and greyhound racing, 1144 days. There are

nearly 21 race clubs across the three codes in my area with 1894 club members. That is 1459 members in the thoroughbred industry through 11 clubs; harness has 390 racing club members at nine clubs; and greyhound has 45 members at one club.

The Strathbogie area of our state has become one of the premier breeding and training areas of the state. It boasts 18 of Australia's top stables. In fact Black Caviar, the most famous of all of our racehorses was born, bred and trained in the Strathbogie region. You can go to Nagambie and see the wonderful statue of Black Caviar that stands today as a reminder that this is the home of the greatest racehorse that the country had seen until recently, when Winx eclipsed her.

The Euroa, Nagambie and Seymour areas have become huge contributors to racing, not only in Victoria but right around Australia. We have top breeders and trainers who have set up their facilities there. At Creighton's Creek just outside Euroa we have Lindsay Park, which is run by David Hayes, one of the most famous trainers in Australia. That is a wonderful facility. I know that facility a little bit because my nephew's girlfriend's family have a thoroughbred breeding farm just down the road from that one. Recently Maddie's family had a really tragic time at their stud. They had Let's Elope as one of their mares, and when she passed away it was a really sad time for that family.

I know how families can become attached to some of their racehorses, because when I was a child my father and a few of his mates, including Barry Connolly, who was Chris Connolly the footballer's father; Francis Burke, the footballer, and a few others had a horse stud at Shepparton. We had a horse called Chelsea Towers, who was a favourite for the Melbourne Cup one year but got checked coming out of the barriers and never raced again. We all became very attached to Chelsea, who was actually quite a gentle stallion. If you were walking in front of Chelsea, he would come up and nudge you with his nose to make you walk a little bit faster. You do become very attached to these animals because they have great personalities of their own.

As I said, David Hayes has a fantastic facility in Lindsay Park at Creighton's Creek just outside Euroa. Then over at Nagambie we have the Swettenham Stud, which is run by Adam Sangster of the very famous Sangster family in the thoroughbred racing industry. I have often been to Adam's place to look at his horses, stallions and mares and to observe some of the sale days he has. It is very impressive.

Just down the road at Seymour there is Darley Northwood Park, which is a stud on the banks of the Goulburn River. That is owned by His Highness Sheik Mohammed bin Rashid Al Maktoum, who is a global thoroughbred breeder, and this is one of his operations in Australia. I was very fortunate one year to attend one of the sales, which was a very, very impressive day on the banks of the Goulburn River at Nagambie.

So all in all the thoroughbred racing industry is very important to northern Victoria. We have clubs in the Goulburn region at Alexandra, Benalla, Echuca, Gunbower, Kilmore, Mansfield and at Merton, which has a wonderful picnic race day. There are also racing clubs at Seymour, Tatura and Shepparton as well as at Yea, and there is St Pats Race Club Yea — so a number of clubs that run some great events.

The Benalla Racing Club was very proactive a few years ago and got in very early when the Andrews government announced its additional public holiday for the grand final. It moved the Benalla Cup Day to the Friday before the grand final. So it has nothing to do with the grand final, but we have all got a day off, so let us go to Benalla for the races. People do not go to the grand final parade, as that day was designed to get patrons into the city to do that, but this is an example of a country race club that has taken advantage of an opportunity and turned it into a real winner. It is a fantastic day at the Benalla Racing Club on that day. I would encourage everybody to go up to Benalla and attend the races on the day before the AFL Grand Final, as it still gives you time to get home and enjoy the grand final the next day when many Victorians have to work. It seems strange that we would have a day off the day before the grand final but have to work on the day of the actual game. However, that is the way that this government has set that up.

Harness racing is also fantastic in our region, with clubs at Boort, Cobram, Echuca, Gunbower, Kilmore, Kyabram, Mooroopna and Shepparton. I remember doing a lot of work with the harness racing clubs a few years ago when the Brumby government wanted to close down many of those clubs. We fought very hard to save them. Denis Napthine was very helpful to me in saving many of those clubs. I remember meeting with clubs like Boort and Gunbower with Denis and talking to them about their problems and how we can help them in order to save their race meetings. That actually came to fruition. Recently I attended the Shepparton Gold Cup meeting. Unfortunately the lights went out just before the Gold Cup was run and the race night had to be abandoned and the cup had to be run at a later date. That was a shame for Shepparton, but it did give

two Gold Cup events to the club and I hope that produced a positive financial benefit for them.

Greyhound racing is also huge in Shepparton and it is run on a regular basis. There are a number of families in Shepparton who have been involved in greyhound racing for many, many years and across many generations, and they truly enjoy that sport.

Ms Symes — On a point of order, Acting President, I have been in my office listening to much of the debate today. Very, very little of it is connected to the content of the bill, but we have certainly reached a new low when we are talking about greyhound racing. Coming from a greyhound racing family I am quite entertained by the topic, but there is absolutely no relevance between greyhound racing and this bill. I would ask that the member have a little chat about what is in the bill.

Honourable members interjecting.

The ACTING PRESIDENT (Ms Dunn) — Order! There is no need to debate. There is no point of order, but I would ask Ms Lovell to draw her attention back to the bill.

Ms LOVELL — I was actually just about to sit down after talking about the importance of the racing industry to my electorate. It is a shame that Ms Symes, who shares that electorate with me, does not see the benefits of greyhound racing for our region. Perhaps that is because she hardly ever visits Shepparton and the only greyhound racing club is in Shepparton. I know the benefit of that to our region. It is a shame that Ms Symes does not support the racing industry in northern Victoria, because, as I said, it is a fantastic industry that provides a lot of opportunities in country Victoria for employment in the thoroughbred and other racing codes for families, young trainers, young jockeys and young breeders. I certainly support all of those things. The racing industry contributes tremendously to our region's economy, and I am pleased to be able to always support the racing industry in country Victoria.

Ms TIERNEY (Minister for Training and Skills) (16:41) — I do note that this bill has been before the house since about 9.45 a.m. today, and we are almost about to go into committee.

Honourable members interjecting.

The ACTING PRESIDENT (Ms Dunn) — Order!

Ms TIERNEY — Thank you, Acting President; I was just checking to see if they were still awake because this matter has been in the house for so long. I

do note that there are no proposed amendments to the bill, so obviously today is about making sure that we let our constituents know about how important the racing industry is to each and every one of us, particularly those from regional Victoria.

The main five questions that have been raised, either through the course of today or indeed in the lower house, essentially go to points around what the minister has or has not done. The first question raised was about what changes have occurred to the way Racing Victoria board members are appointed. This bill enables the Minister for Racing to undertake the functions, powers and duties given to the minister through the constitution of Racing Victoria. In April last year the constitution was amended to give the Minister for Racing powers in relation to the selection, appointment, resignation and removal of directors. Under the amended constitution the minister has the power, amongst other provisions, to convene an advisory panel to advise on the suitability of candidates; the minister can consider the report prepared by the advisory panel; the minister can appoint the chair and the deputy chair; from 2018 onwards the minister will appoint the chair and Racing Victoria's board will appoint the deputy chair amongst the directors; and the minister will be able to remove a director in certain circumstances.

Of course the consequential question from that is: why has the minister been given these powers? Essentially it is because the thoroughbred racing industry generates, as we have heard from many speakers, in the vicinity of \$2.1 billion in value annually to the Victorian economy, and it sustains more than 19 200 full-time equivalent jobs, so that is a significant contribution.

Prior to the recent amendments to the constitution, directors were appointed by the company's shareholder members, which means that directors were being appointed by the people and the organisations that they actually regulate. It is important that directors are independent from the organisations that they are regulating. This view has been supported by Racing Victoria member shareholders, who have resolved to amend the constitution to give the minister the power to appoint directors. The bill inserts a new provision into the act to provide a legislative basis to enable the minister to perform the functions allocated to the minister through the constitution.

'Why has the government clarified that Racing Victoria is not a statutory body?'; that was another question that was raised. Whilst the bill clarifies that the minister has certain powers conferred upon him — in this case — through the constitution, it clarifies that unlike Greyhound Racing Victoria and Harness Racing

Victoria, Racing Victoria is not a public entity or public body pursuant to the Public Administration Act 2004 and the Financial Management Act 1994. This is in accordance with the second-reading speech for the bill founding Racing Victoria, which outlined that it was to be incorporated under the Corporations Law as a company limited by guarantee. The minister stated that Racing Victoria would be, and I quote:

... subject to all of the legal, reporting and probity obligations applicable to public companies under the Corporations Law. This includes reporting to ...

ASIC —

which ensures appropriate public disclosure and accountability.

The government has committed to the continued operation of Racing Victoria under the Corporations Law.

There was also a comment made, ‘Well, why did the government backtrack on its promise to exclude industry participation from the board approval process?’. In late 2016 the government made a commitment to amend the Racing Act 1958 to ensure that directors are independent and that conflicts of interest are minimised and appropriately managed. Following the announcement significant consultation was undertaken with Racing Victoria and its member shareholders — that is, Country Racing Victoria, the Melbourne Racing Club, the Moonee Valley Racing Club, the Victoria Racing Club and various industry associations, such as jockeys, trainers and owners — to develop the most appropriate model to ensure the independence of Racing Victoria directors. On 18 April last year the member stakeholders resolved to adopt amendments to the constitution to amend the appointment process so that directors are no longer directly appointed by the member shareholders.

There was also a question raised particularly by the Greens along the lines of, ‘Why hasn’t the government committed to ensuring that welfare concerns are addressed by ensuring expertise in the area in board appointments?’. In response to that the government says that as a part of the 2014 Labor platform ‘Labor’s plan to keep Victorian racing strong’, Racing Victoria was identified as having the responsibility to act in the best interests of animal and jockey welfare. This commitment extended to leaving key decisions about the future of racing, including jumps racing, in the hands of Racing Victoria.

In addition the Racing Act requires the tabling of amendments to the constitution to both houses of Parliament for six sitting days. This provides an

additional mechanism of disallowance by Parliament, which was not utilised in the middle of last year when the amended constitution regarding the appointment process was tabled before this house. Noting that, it is open to the minister to ensure that appointments to the board have the appropriate balance of skills for consideration. Equine welfare is a central issue for racing, as demonstrated by Racing Victoria spending \$2 million annually on equine welfare and veterinary services, resources and initiatives, along with \$1.7 million on medication control. They were some of the key matters that were raised in the discussion in relation to this bill.

In closing, can I also acknowledge and pay tribute to the racing industry, particularly in western Victoria. I have been able to attend and participate in a number of events over the years, including at Warrnambool, Hamilton, Ballarat, Geelong and smaller tracks. We have been able to organise marquees and have locals come together and essentially celebrate being local. Racing does pull the community together, and it does, of course, assist the local economy. Racing days always have an air of optimism and fun. Even when I think of when we went through the drought, a racing day was one of those days where you could actually come together and talk about what was going on and put the family’s economic situation to one side. Even if it was for one day, you were able to do that and get on and have a little bit of fun.

Whilst racing days conclude after the last race, it is always important, I think, to also reflect on the number of jobs associated with the industry — jobs that remain in the industry well after the last race. I must say that I am very, very pleased that Glenormiston has reopened for training and that a recent memorandum of understanding was reached between South West TAFE, Camperdown Turf Club and the Terang and District Racing Club to deliver a certificate III in racing (track rider). That will have the involvement of both of those clubs in a very real sense as well as a lot of the theory being conducted at the Glenormiston facility. Again, this provides another opportunity for young people in western Victoria to train in an industry that is very much part and parcel of the economy in western Victoria. It means they are very much part of the fabric and future of western Victoria.

In closing, I would say, ‘Let’s get going’. I will not make any other ridiculous puns about racing and getting on horses or saying ‘Tally-ho!’ and all of that, but there has been quite some time spent here today on one bill and one bill only. I am sure that everyone is now committed to having a very efficient and productive committee of the whole. As I said, I

understand there are no amendments, but I am sure there will be questions. Could I be a little bit cheeky and say that I am sure there is a wager on in the house as to how long the committee stage will last for.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1

Mr ONDARCHIE — Minister, I took note of your final comments in the second-reading debate about ‘Let’s get going’ and ‘This is taking a long time today’. You indicated that we had been working on this since a quarter to 10 this morning, which is interesting because the house did not commence until midday.

Ms Tierney — I was just telling you. I was just waking you up.

Mr ONDARCHIE — It wasn’t a question; don’t get excited. It wasn’t a question. I know you’re excited. I haven’t asked a question yet.

Ms Tierney — I’m not excited.

Mr ONDARCHIE — Minister, what is the expected effective date of this legislation?

Ms TIERNEY — Without really wanting to be cheeky, it will be the day after it receives assent.

Mr ONDARCHIE — I am just dealing with the enormity of that response. Does the government have a plan for getting this into action, given that your final comment was, ‘Let’s get this going’? Do you have a date in mind for when you wanted to get this into effect?

Ms TIERNEY — Well, obviously we would like to have this implemented as soon as we can, but clearly it does take a number of things to happen concurrently, including a committee stage.

Mr ONDARCHIE — Minister, if I could quote the minister in his media release associated with the advisory committee, he said that it is important:

... to advance the interests of the Victorian racing industry.

If we agree with that position that he has put, why then, when the Racing Victoria Limited board moved to change their constitution on 18 April 2017 — if you are keen to get on with it and the minister is keen to

advance the interests of the Victorian racing industry — has it taken from 18 April 2017 until 6 March 2018 for this bill to arrive in this place?

Ms TIERNEY — I am advised that this is what is called a clarification bill, Mr Ondarchie, and that its being here today actually has not stopped any changes. Those changes took effect when the constitution was changed last year.

Mr ONDARCHIE — My question was not about process, Minister. It was about why it has taken so long to get here. I will remind you that the bill was in the lower house on 22 August 2017. So even if we accept that as the date it first arrived in the Victorian Parliament, why has it taken that long to get here, today being 6 March 2018, when the government was saying and you were saying, ‘We want to get on with things’?

The ACTING PRESIDENT (Mr Elasmr) — Any further questions?

Mr ONDARCHIE — Did the minister say she is not answering that; is that what she is saying?

Ms Tierney — I said I have answered it.

The ACTING PRESIDENT (Mr Elasmr) — She has already responded to this, Mr Ondarchie. Any further questions?

Mr ONDARCHIE — Yes, I do. Minister, in relation to the construction of the advisory committee, is it the government’s view that there are enough industry experts, or industry representatives, on the advisory committee, or not enough?

Ms TIERNEY — As I said, the constitution was passed unanimously in terms of the construct, but also in my summing up I made reference to the minister being open to people with other areas of expertise being on the board.

Mr ONDARCHIE — Minister, you acknowledge that part of the operation of this bill is to clarify that Racing Victoria is not a public entity for the purposes of the Public Administration Act 2004 and the Financial Management Act 1994. For organisations that are not part of the Public Administration Act and are not public entities, normally the board select their own chair. Why is it then appropriate for the minister to choose the chair of the board?

Ms TIERNEY — This is a feature of the constitution, and it was voted on unanimously.

Mr ONDARCHIE — Minister, for the process around the advisory committee and its appointment process, outside of what are called regular appointment processes, how will a member of the advisory committee be replaced due to ill health, for example?

Ms TIERNEY — Mr Ondarchie, I can take that on notice for a couple of minutes, if you want to go on to another question. The advisers are advising that that would take a couple of minutes for checking the constitution.

Mr Ondarchie — I am happy to hold for a couple of minutes.

Ms TIERNEY — It is covered off in article 9.3 of the constitution under the heading ‘Appointment of directors — general’. If you move to article 9.3(b), ‘Advisory panel’, paragraph (vi) of that article states:

Where an advisory panel nominee is removed or resigns from the advisory panel, the relevant nominating body or bodies may appoint a nominee to the advisory panel in the former nominee’s place by written notice to the minister. In the case of a nominee appointed jointly by VRC, MRC and MVRC, or jointly by the industry body members, the notice of appointment must be signed jointly by the relevant nominating bodies.

Mr ONDARCHIE — Thank you, Minister. I was also talking about where a minister has to take a leave of absence due to ill health. Is there a provision for those people to be replaced on a temporary basis?

Ms TIERNEY — If a minister is taking a leave of absence? A casual vacancy?

Mr ONDARCHIE — Well, it might be a temporary vacancy. What you are talking about is someone who resigns or is dismissed from the advisory committee. I am talking about somebody who might need to take a leave of absence for personal reasons et cetera.

Ms TIERNEY — I am advised that the advisory panel is an ongoing panel but it meets intermittently. If there was someone that was quite ill then there would be a discussion about whether they could reschedule the meeting.

Mr ONDARCHIE — Minister, one of the concerns around this bill was a document that reflected the contents of a meeting that was held between Minister Pakula and Racing Victoria Limited, which indicated the minister’s intention to do a number of things, including allowing the minister to accept and consider minority recommendations from the advisory panel, allowing the minister to make board appointments outside the recommendations of the

advisory panel and giving the minister the power to remove a board member at any time and replace that board member with a ministerial appointment without having to form an advisory panel. Since that document was — I will use the colloquial term — leaked, the minister has now backed down on those things. Has an investigation been undertaken into the source of that leak?

Ms TIERNEY — These are allegations. In terms of whether there has been an investigation, the answer is no.

Mr ONDARCHIE — Sorry, Chair, I did not hear the end of the minister’s answer. She said there had been allegations and then she turned her head and I did not hear the end of it.

The ACTING PRESIDENT (Mr Elasmr) — The minister has already answered, Mr Ondarchie.

Mr ONDARCHIE — I am indicating that I did not hear the rest of her answer.

The ACTING PRESIDENT (Mr Elasmr) — Minister, would you like to repeat?

Ms TIERNEY — I have said it.

Clause agreed to; clauses 2 to 8 agreed to.

Reported to house without amendment.

Report adopted.

Third reading

Motion agreed to.

Read third time.

GAMBLING LEGISLATION AMENDMENT BILL 2017

Second reading

Debate resumed from 14 December 2017; motion of Mr JENNINGS (Special Minister of State).

Mr O’DONOHUE (Eastern Victoria) (17:07) — I am pleased to speak on behalf of the opposition in relation to the Gambling Legislation Amendment Bill 2017 and indicate at the outset that the opposition will not oppose this bill. I have heard rumours there may be some amendments to the bill but I am yet to see them, so we will deal with those in due course. We will take a position on the amendments once they are circulated.

We have spent a significant part of the day today talking about the benefits to the community of the racing industry: the economic benefits, the social benefits, the community benefits, the different professions and jobs that are supported by that industry. Of course wagering is part of that. Racing is but one form of entertainment, or one sport, which has a wagering component. The amount of wagering or gambling available to Victorians has proliferated in recent years to now be so much more accessible, so much broader. This in part has been driven by the internet and the ability to bet on the National Football League or a soccer game in China or through online casinos based overseas. This creates real challenges for regulators and it creates real challenges for us as a Parliament.

While there is no doubt that there are many benefits from, say, the racing industry, there is also no doubt that some people struggle to control their gambling, and we need to find that right balance and find a way, a mechanism, to try and help those people who may be susceptible to having a problem with gambling. As I have said, though, there are real challenges for us as a Parliament given that we can only legislate as it pertains to Victoria and we do not have the power to regulate offshore activities. This is a challenge for any government and for the Parliament. The consolidation of the gambling industry, betting providers and the like has also meant, at particular times of the year — around the Spring Racing Carnival and major sporting events and the like — more intense, frequent and sometimes almost overwhelming advertising.

The measures that are proposed in this bill are broadly supported by the opposition. We welcome those, and I will talk a bit more about those in a minute. But before I do I just want to make comment that the Andrews government has been very slow in providing leadership, reform and change to match the changing gambling landscape in Victoria over the last three and a quarter years. The minister, while very pleasant personally, appears to be very —

Mr Mulino — How condescending.

Mr O'DONOHUE — Well, the minister appears to have no reform agenda. She has articulated no vision for change, she has articulated no key actions that she is seeking to implement and really this bill is the first hint of any sort of reform. This compares to the clear reform agenda that Michael O'Brien, as the shadow minister, took to the 2010 election: the merger of the liquor and gaming regulators to create the Victorian Commission for Gambling and Liquor Regulation, bringing together

important synergies, important benefits, by bringing those two separate regulators together.

Perhaps the most important reform that the Baillieu government implemented, as per Michael O'Brien's promise, was the creation of the Victorian Responsible Gambling Foundation (VRGF). The Victorian Responsible Gambling Foundation was provided \$150 million over four years. The government recognised the changed landscape and recognised that it had only so many levers at its disposal. It saw the importance of education, prevention and research to be done in an apolitical way by the creation of an independent body, removed from the then Department of Justice physically and operationally. So the VRGF was established. It moved from 121 Exhibition Street down to its premises at North Melbourne, was given a separate board — an independent board — with an independent CEO and was told to deliver world's best practice. I think that is an important change that reflects, as I have said a couple of times already, the challenging regulatory environment particularly around the online gaming that exists in Victoria.

What is most disappointing is that in the first budget of the Andrews government they cut funding for the VRGF. They cut funding from \$150 million to \$148 million over four years, which, when you take into account inflation, represents a cut of roughly 10 per cent — this at a time when revenue to the treasury has continued to grow significantly. I think it was a very detrimental decision to make that cut to the funding of the VRGF.

It is interesting that in the second-reading speech the minister said, and I think for the first time acknowledged, that the government is only providing the Victorian Responsible Gambling Foundation with \$148 million. The second paragraph of the second-reading speech says, and I quote:

The government has provided the Victorian Responsible Gambling Foundation with \$148 million over four years to deliver on its mandate to reduce the prevalence and severity of gambling-related harm.

In response to previous questions in committee and in other fora through the Parliament it has been contended that \$150 million had been provided but, as we know, part of that funding, \$2 million in funding, was delivered to implement the precommitment education, as I understand it. It is interesting to see the minister confirm that funding cut, which, as I say, when taking inflation and cost escalation into account, represents quite a significant funding cut — at a time when gambling advertising continues to proliferate and continues to expand.

Having said that, just on the voluntary precommitment system known as YourPlay, I have asked the minister responsible for an update in relation to how many people have signed up to YourPlay. I would appreciate it if the minister or the minister's adviser, during the summation, could provide details on the number of people that have signed up to YourPlay so that that is a matter of public record. The opposition, because we support choice, have procured and started the process of the delivery of the precommitment system on a voluntary basis, because we believe that in a free society a voluntary system is preferable. But by the same token we want it to be widely accepted and for its uptake to be significant and as widespread as possible. I am interested in that data. As I have said, the minister referred to the introduction of the precommitment system, YourPlay, in the second paragraph of the second-reading speech.

Turning to the provisions of the bill, the bill amends the Gambling Regulation Act 2003 and also the Victorian Commission for Gambling and Liquor Regulation Act 2011, or the VCGLR act, to give the minister the power to ban certain betting and amend various governance issues. The bill will ban sports betting advertising within 150 metres of a school, on public transport infrastructure, including bus shelters and railway stations, and on billboard signage on roads. I think these are sensible amendments, particularly the banning of advertising within 150 metres of a school. The second-reading speech states, and I quote:

Several studies on the impact of betting advertising have found that it can shape gambling attitudes, intentions and behaviours and impact most negatively on vulnerable groups and children ...

and I emphasise the word 'children' in relation to the banning of the sports betting advertising within a 150-metre radius of a school. The minister's second-reading speech continues by saying:

The purpose of this prohibition is to limit the community's exposure to betting advertising, especially in places where people spend a lot of time and find hard to avoid.

We know that if you are sitting at the end of the Eastern Freeway and there is a billboard with Sportsbet advertising, it is very hard to ignore it. You might be at the T-intersection at the end of the Eastern Freeway for many, many minutes. But for Daniel Andrews throwing \$1.3 billion down the drain and cancelling the east-west link contract, that intersection would soon have been part of the east-west link. But we know that has been canned, and for constituents from Eastern Victoria Region — from Lilydale, the Hills and Monbulk — the traffic at the end of the Eastern Freeway reaches gridlock. Billboards on major roads

are increasingly in full view of motorists for a significant period of time, particularly with the ever-increasing congestion on our roads.

Daniel Andrews tore up the east-west link contract and wasted \$1.3 billion, despite his clear promise before the election that he would honour contracts and his comments that it was not worth the paper it was written on and that it would not cost taxpayers a dollar. How are we supposed to trust anything he says when he wastes \$1.3 billion by not building a major piece of infrastructure? What a pity that that money was wasted and more money was not given to the Victorian Responsible Gambling Foundation, rather than its funding being cut in real dollar terms by about 10 per cent.

This prohibition is to apply to static or place-based advertising. That sort of advertising is the sort we tend to find difficult to avoid when moving around the community, particularly with the ever-increasing congestion at the end of the Eastern Freeway because of the reckless decision of Daniel Andrews to tear up the east-west link contract and cost jobs, money and cause increased congestion and increased sovereign risk in Victoria.

As an MP I have received many representations from constituents, particularly in recent periods and particularly around the Spring Racing Carnival and other major events, about the advertising on public transport infrastructure, including bus shelters and railway stations. For the same reasons we support the ban around a school or on billboard signage on roads, it is sensible to extend that ban to public transport infrastructure and bus shelters as well.

The bill amends the power of the minister to place conditions on an outcome offered by a wagering company. Currently the minister can only place a 12-month ban on wagering companies, whereas the bill before us allows them to ban certain products.

The bill makes a number of other miscellaneous amendments, including ensuring that unpaid gaming machine jackpots be repaid to the Treasury and ultimately through to the Responsible Gambling Fund, which is an important measure. It changes the process for making fixed-term ban orders to no longer require referral to the commission. It changes the process for approving a premises — that is, not in line of sight of playgrounds, which I know has been an issue in the past. There was an issue with a gaming application in Beaconsfield many, many years ago, and that is obviously a commonsense change. It clarifies that the commission is required to consider technical standards

for pre-commitment. That is to continue to make sure that the YourPlay pre-commitment technology is available on all machines. In the view of the opposition, it is important that the pre-commitment system is voluntary, but it is also important that it is accessible. It must be accessible from all the electronic gaming machines in Victoria.

The bill amends the Victorian Commission for Gambling and Liquor Regulation Act 2011 to address some governance issues, including the appointment of the commission CEO, which is to be done in consultation with the minister, and clarifies inquiries requiring three or more commissioners. Not everyone will be pleased with this reform, and obviously there will be an impact for those that run outdoor media, static billboard advertising and the like. But when you weigh up the benefit to the public interest, clearly from the view of the opposition the public interest is better served by banning that advertising from some of those outdoor media locations.

I also note that a number of lottery agents have been very concerned about online lotteries. Some of the changes that are proposed in this bill will be supported. Many of those lottery agents run small family businesses. Often they are only one of a small number of retail businesses in country towns and therefore a key part of the vibrancy of some small towns. Therefore the reform in that space is needed and is welcome.

As I said in my introduction, while we welcome changes brought forward by the minister — and I note this bill follows the debate that took place several months ago regarding the allocation of the electronic gaming machine licences for a further period and the mechanism and arrangements associated with that — we are yet to see a coherent, clear agenda for reform from government that matches the reform that has taken place in the private sector, with the consolidation of bookmakers and the internationalisation of bookmakers, to address the threat and risk posed from offshore gaming websites and the challenge they pose to both the industry in Victoria and also to those who may have a problem with gaming or are at risk of a problem with gaming.

It is time that the minister did actually articulate what the agenda of the Andrews government is in this space. These reforms that are before us are broadly welcome, are sensible and deal with some of the issues that have come to the fore in recent times, but we do not have any long-term agenda or commitment from the minister. I suppose we could take that as the Andrews government's endorsement of the reforms of the

coalition, with the creation of the combined regulator and the creation of the foundation — removed from government and acting in an independent way.

If I could digress just for a second, I think one of the strengths of the foundation is the research that it funds and the research that it facilitates, because research is critical in this space with, again, changing patterns of gaming and changing patterns of gambling. What are the impacts on individuals, what can be learned as a result and what changes may or may not need to be made as a result? Having evidence from the foundation is important. I would welcome from the minister in his summation an update on some of the research priorities that the foundation has funded in recent times and the extent to which that research has helped inform this bill that is before us today.

With those remarks, the opposition will not oppose the bill. We look forward to further discussion and further debate in the committee stage. Noting the issues that I have flagged, I would appreciate it if the minister or a government member could address those in the second-reading debate. Otherwise we look forward to asking those questions in the committee of the whole.

Mr MULINO (Eastern Victoria) (17:31) — It was good to hear from Mr O'Donohue that he is broadly comfortable with the bill and that the opposition will not oppose it. Before getting onto a brief summary of the bill, I must say I have to respond to one or two of the comments made by Mr O'Donohue. It was quite interesting to hear him say that he wished to see more strategy and action from the government. Coming from somebody who was in a Rip Van Winkle regime, who for four years did nothing right across the board and were rejected as a result of it, I find that quite a galling statement. I found it almost amusing for Mr O'Donohue to stand here and start to now talk about inflation-adjusting all of the spending that we are putting into different areas to try to accuse us of cuts when the government that we replaced was cutting left, right and centre — not just in inflation-adjusted terms but in absolute terms.

That finally we had some snippy comments about infrastructure and, as a little bit of a side comment, the fact that somehow exposure to advertising is worse because we did not fund a project that had a cost-benefit ratio of 0.5 and that somehow that is related to gambling because people are sitting in traffic. Well, all I can say on that before I get directly onto this bill is that we will put our infrastructure record up against that of those opposite any day of the week: billions of dollars into level crossings, the Metro Tunnel ahead of schedule and major upgrades of the

Tullamarine Freeway and the M1. We have got hundreds of millions of dollars going into regional rail. The list goes on and on and on. As I have said before in this place, those opposite were reduced to handing out fake tickets to infrastructure projects they did not even have in the forward estimates. So let us talk about infrastructure any day of the week.

Then we get onto sovereign risk. Well, let us see what the debate tomorrow gives members of this house. On sovereign risk, every single member of the corporate world and every single member of the private sector in this state who is willing to go on record has damned the opposition's proposed motion for tomorrow. Let us see sovereign risk as it plays out tomorrow. Another stunt and another day wasted on an issue tomorrow — that is going to be sovereign risk writ large. That is just a direct response to a couple of comments that were made during the course of Mr O'Donohue's speech.

This bill is a good one. It is a significant step forward. It is composed of five major initiatives. First, there is a prohibition on static betting advertising. The bill amends the Gambling Regulation Act 2003 to prohibit static betting advertising within 150 metres of a school, on public transport infrastructure and on public roads and road infrastructure. This is an important step to reduce problem gambling-related harm in the Victorian community by addressing the normalisation of gambling in sport.

I can say that on a personal level I notice that gambling as it is covered in the media is materially different to what it was 10 or 20 years ago: odds appear everywhere. Kids in this generation are very familiar with odds. They are fascinated with odds; they are fascinated with the live movement of odds. While there is something inherently interesting in the statistical dimension of that, there is something disturbing in the normalisation of gambling. That is definitely occurring, and children and adolescents are particularly at risk. Research shows that three-quarters of children aged between eight and 16 think that gambling is a normal part of sport — and that is not surprising given the way in which it is absolutely ubiquitous in the media — and two-thirds can recall at least one sports betting brand. So betting advertising on roads, on public transport and near schools must therefore increase the exposure of this vulnerable group to problem gambling.

In August 2016 the government announced a proposal to ban betting advertisements on public transport and around schools. These places were chosen as they are difficult to avoid as part of day-to-day activities. This proposal was then subject to extensive public consultation with industry and community stakeholders

about the level of betting. When the government consulted publicly on this proposal it received resounding community and stakeholder support. The betting advertising ban on public transport infrastructure includes trains, train stations, buses, bus shelters, trams, tram stops, taxis and ferries.

Whilst a prohibition on betting on roads was proposed in the initial public consultation, the decision to include roads was as a result of the consultation process itself and concerns that had been relayed to the minister and to the government. It was clear through the consultation process that the ban should be expanded to include roads. The extension of the ban to include roads is consistent with targeting places that are difficult to avoid as part of day-to-day activities. The prohibition on roads will include arterial roads, freeways and highways, as well as major traffic control signals, embankments and noise walls.

There are major exemptions to the prohibition. These include racecourses, which recognises the historic relationship between the racing industry and gambling, and also sporting stadiums and grounds, and this reflects the complex nature of a number of pre-existing relationships there — for example, there are commercial sensitivities for a number of stakeholders due to pre-existing multiyear, multimillion-dollar contracts, which needed to be taken into account. So we had to take a slightly different approach with sporting stadiums and sporting grounds. There was also a need for an exemption in relation to a building occupied by a wagering service provider or where their services are sold.

In addition to the government's ban on static betting advertising, the government is advocating to the commonwealth government for a crackdown on the alarming levels of broadcast betting advertising. This falls into the commonwealth's jurisdiction but is clearly a very related matter, given that it is so difficult to avoid what is transmitted on free-to-air television in particular. Again this relates in particular to vulnerable groups such as children and young people, who are very, very exposed to the normalisation of gambling over the airways.

The second major element of the bill is a change in ministerial powers to ban or restrict certain betting products. What this reflects is the fact that the way people are able to gamble through apps or online is constantly evolving. I do not think anybody 10 or 20 years ago would have been able to foresee with any degree of accuracy the plethora of products that are available now and the way in which gambling is often embedded in otherwise innocuous products. Therefore

it is important that the legislation include a degree of flexibility for the minister to have the power to ban betting or to place conditions on an outcome offered by a wagering company where the minister believes that the betting on that outcome is against the public interest. This flexibility is necessary in order for the regulatory regime to be able to keep up in a very fast changing environment. In making a decision as to whether something is against the public interest, the minister can consider factors such as responsible gambling outcomes and consumer protection concerns. The government is particularly concerned about certain products involving betting on lotteries that are currently operating in the state.

The third element of the bill is amendments to the Victorian Commission for Gambling and Liquor Regulation Act 2011. The Victorian Commission for Gambling and Liquor Regulation (VCGLR) was created under the former Liberal government through a merger of the previous liquor and gaming authorities, but this left hanging when we came into power the need for a number of governance reforms. A number of aspects of that entity were not functioning as intended. There was a major review of the VCGLR. The government has taken a number of steps to reinvigorate the organisation, starting with that review by its previous chair. As a result of the government accepting the majority of the recommendations of that review and the commission itself having accepted a number of recommendations as a result of that review, the organisation's governance arrangements have been strengthened.

This bill reflects a number of governance changes that fall within the bailiwick of the state government. It amends the Victorian Commission for Gambling and Liquor Regulation Act 2011 to address these governance and operational issues. In particular it provides for the CEO to be appointed by the commission in consultation with the minister, which is consistent with good governance principles and usual public sector practice. It provides that sessional commissioners appointed for a specific period may be allocated to inquiries as determined by the chair and may perform the functions of a commissioner only in relation to the inquiries as allocated. It clarifies that sessional commissioners are not part of the governance body of the commission for the purposes of the Public Administration Act 2004, and there are a number of other changes that strengthen governance arrangements.

The fourth key element of this bill is that it amends the Gambling Regulation Act to establish a framework for the treatment of conditional approvals, and in particular it includes amendments that provide that a conditional

approval will be automatically revoked if the applicant ceases to hold an interest in the property, such as a lease. The commission can specify a time limit for meeting a condition and provide that a period of two years will apply if no time limit is specified. The bill also amends the process for the approval of premises as suitable for gaming or for an increase in the number of gaming machines. Finally, the bill contains a number of miscellaneous amendments.

This bill deals with an area of social policy that is of vital importance. Gaming is a reasonable activity. I think everybody in this place would accept that a degree of gaming in society is reasonable. Most people in this place probably occasionally take part in gaming activities. But I imagine that almost everybody in this place would also agree — and the evidence certainly backs this up — that for some people it is an activity that is very difficult to control, so we must be cognisant of the fact that we need to have a regulatory regime that protects vulnerable people. The prohibition on static betting advertising is an important step forward in that regard, and the ministerial power to ban certain products provides a critical degree of flexibility in the regulatory regime given how quickly products are emerging and changing in this environment. I support this bill and recommend it to the house.

Mr MORRIS (Western Victoria) (17:43) — I rise to make my contribution on the Gambling Legislation Amendment Bill 2017. I note that this bill amends the Gambling Regulation Act 2003 to prohibit sports betting advertising and also amends the Gambling Regulation Act 2003 and the Victorian Commission for Gambling and Liquor Regulation Act 2011 (VCGLR act) to give the minister power to ban certain betting and amend various governance issues.

I think this bill does go to a significant issue that we are seeing at the moment, and that is with regard to the proliferation of sports betting. It is unfortunate that when many young people think about sport, betting is now inextricably linked with their idea of sport. When discussing the merits of whether one team is more likely to win or not, there is an automatic reference to the odds of a team winning as opposed to the strengths or weaknesses of certain players on a team or other factors that may go to whether or not a team might win. I note that there has even been betting on political activity of late online as well. On the odd occasion I do check those odds, and they are looking rather interesting for this side of the chamber in the lead-up to the next election — but that is probably way outside the scope of this particular bill. But it is a concern that young people are looking at sport through a betting

framework more readily and regularly now than has been the case, certainly in the more recent past.

This bill will amend sports betting advertising to not be within 150 metres of a school or on public transport infrastructure, including bus shelters and railway stations. It will also ban billboard signage on roads. I note that in the not-too-distant past there was a wraparound advertisement in a local western Victorian newspaper for a sports betting organisation. I thought that was an interesting use of advertising, and there was somewhat of a discussion in the community as well about whether or not that was an appropriate way to be advertising a sports betting company. I think it is important that the community are having these types of discussions, because it is an issue that needs to be addressed. Whilst many in the community are able to gamble responsibly and have fun and know where their limits are, we well know that there are others who do not conduct their gambling in that way and it can cause significant distress and harm both financially and to relationships in our community. That needs to be acknowledged and it needs to be addressed, because while we all want as many freedoms as we can possibly have we need to recognise that certain harms can be caused in the community by things such as gambling.

Furthermore, this bill will amend the minister's powers to ban certain betting or place conditions on an outcome offered by a wagering company. One might reflect upon some of the recent media coverage of some sports where there have been allegations of match-fixing or spot-fixing, which is, I suppose, a term that has become part of the normal lexicon nowadays. It was not a term that was used so long ago. Spot-fixing is of course the act of making sure a certain event happens during a particular sporting endeavour, and I suppose it is quite easy to have some of these things occur. For example, it is possible in some places to place a bet on whether or not there is going to be a no ball or a wide bowled in a game of cricket. It is quite clear that the bowler themselves could indeed be involved in a scenario where it is agreed that a wide or a no ball is going to be bowled at a certain time — a certain delivery in a certain over of a cricket match. There have been allegations of scenarios in which this has occurred, and this is rather concerning for the integrity of any sport but particularly where individuals can have such an impact on a spot-fixing scenario such as has been alleged with cricket.

This bill also makes various other miscellaneous amendments, including providing that unpaid gaming machine jackpots must be paid to the Responsible Gambling Fund. It changes the process for making fixed-term ban orders to no longer require referral to the

commission, and it also changes the process for approving premises — that is, so that they are not in the line of sight of a playground area.

It further goes on to clarify that the commission is required to consider technical standards for precommitment and ensure that new machines are compliant with YourPlay. I think the precommitment scenario is a scenario which envisages some harm minimisation within gambling. It gives people the capacity to be able to say, 'I know that I might be able to spend \$50 gambling and it's not going to cause myself or my family significant financial stress', and as a result of doing so they can precommit to say, 'This is how much I'm going to spend, and I won't spend any more'. This type of precommitment scenario can, let us hope, reduce the harm that some gambling can cause by ensuring that people do not go over and above and beyond what they know they can safely bet without it having a detrimental effect on themselves.

Further, this bill amends the VCGLR act of 2011 to address governance issues, including the appointment of the commission CEO by the commission in consultation with the minister and various clarifications for inquiries requiring three or more commissioners. This bill does go a way towards addressing all these issues.

On a slightly more lateral note the Tasmanian election over the weekend could be seen in some ways as being somewhat of a referendum on whether or not people want to see poker machines in pubs and clubs. I think the resounding victory of the Hodgman government in Tasmania does go some way to clarifying the view of at least Tasmanians with regard to poker machines. I do not think anybody in this place wants to see harm being done by things like poker machines, but there is obviously a balance that needs to be struck between the community's right to be able to enjoy a recreational pursuit such as gambling and the need to protect those who may gamble to excess and harm themselves. Much work has been done in designing gaming machines and the like so that they are very attractive for people to play.

However, what we see when we ban things outright is that people try to find ways around the edges. The prohibition of alcohol in the United States is something that is brought to mind here. Just because you ban something does not mean that you are going to get rid of it entirely. There are some things I am certainly very much in favour of having banned, such as illegal drugs and the like, but I think we need to acknowledge that if you have an all-out ban on something there is going to

be a consequence, which may not be the intended consequence as we go through.

I note the bill addresses some of the issues that we have already discussed here. I certainly take on board a lot of the points that Mr O'Donohue made in his contribution. I am sure there is going to be quite a lengthy committee stage on this bill, with a number of amendments being proposed. I look forward to that debate, and I thank you, Acting President, for the opportunity to speak.

Dr RATNAM (Northern Metropolitan) (17:53) — I rise to speak on the Gambling Legislation Amendment Bill 2017. The Greens support the intent of this bill, but like the Labor government's other gambling reforms we believe the new regulations do not go far enough to minimise gambling harm and improve Victoria's regulatory framework for gambling.

The social and economic harm of gambling is well documented but is always worth repeating, because gambling, and particularly poker machines, are hurting families and communities, and we have a responsibility to do what we can in this place to stop the harm. Just some of the harms being caused across the community include over 80 per cent of Australian adults engaging in gambling of some kind, which is the highest rate of gambling in the world. Australians lose more money on gambling than any other country, roughly \$1000 per adult each year. Australians spend more money on gambling than on any other activities that can be addictive and dangerous, including alcohol, tobacco and illegal drugs. In 2017 Australians spent \$24 billion on gambling, half on pokies in pubs and clubs. Victorians lost \$2.6 billion on poker machines between 2016 and 2017 — in just one year. That was only 0.27 per cent less than losses in 2015–16. So we have to ask the question: are our harm reduction efforts really having an impact?

Gambling is a major driver of household debt and family and personal dysfunction. It is a significant public health issue, with around 80 000 to 160 000 Australian adults experiencing significant problems from gambling and a further 250 000 to 350 000 experiencing moderate risks that may make them and their families more vulnerable to even further harm from gambling.

The research shows us that gambling addictions are linked to high suicide rates, violence against women and violent crime. Newer betting forms such as sports betting, though small in money at the moment, are the fastest growing part of the gambling market, but it is having a significant impact when you consider that 75 per cent of kids who watch sports on TV think

gambling is a normal part of the game and can recite betting odds. In light of all the evidence, we are supportive of any moves to reduce the amount of advertising of gambling products that the community and particularly children are subjected to.

The bill will ban the display of static betting advertising by wagering service providers within 150 metres of the perimeter of a school, in or on public transport infrastructure, and on roads and road infrastructure. We support this ban as far it goes. Research clearly shows the impact of advertising on gambling behaviour, including that advertising reinforces the normalisation of gambling within sport, which is a growing problem, especially for young people. For example, betting odds have become part of the conversation kids have about sports; it is normalised. One in five kids can identify three or more sporting betting brands, and two-thirds of kids can name one. Teenagers are four times more likely than adults to develop a gambling problem, and one-fifth of adult problem gamblers start gambling before the age of 18 years.

We note that the ban on static advertising covers billboards, banners, signs, images, rolling displays, digital billboards and panels, including those that display video and movable billboards and displays. But this prohibition does not apply to advertising that is publicly broadcast by commercial television, radio or digital media or commercial print media. We appreciate the difficulties for the Victorian government in regulating TV, the internet and the intranet, but we do urge the government to take this issue up with the federal government and its fellow state governments. We note that the prohibitions in this bill are important. They are nothing compared to the bombardment on TV and the internet that the gambling industry thrives on.

The bill also includes a number of exemptions to the advertising prohibition. Of particular concern to the Greens is that the ads will continue to be permitted at sporting grounds, which are places our children frequent. As noted by the Minister for Small Business, the bill seeks to limit the community's exposure to betting advertising and especially children's exposure. Research indicates that the two places where children report seeing gambling ads most frequently are on television and at sporting stadiums. So we will be moving an amendment to expand the prohibition on advertising as widely as it can be, including prohibiting gambling advertising at sporting stadiums. We see no reason why gambling advertising should be prohibited only in certain areas.

Greens amendments circulated by Dr RATNAM (Northern Metropolitan) pursuant to standing orders.

Dr RATNAM — We believe the ban should be as wide as possible to minimise the extraordinary harm gambling does to our community. Our amendment will remove the specific locations for the prohibition and simply ban the static advertising of gambling by wagering service providers. The only exemptions we believe are necessary are to allow gambling service providers to put their names on their buildings and for bookies at racecourses to display their names.

The bill provides for a transitional period, whereby the betting ban will not apply until 17 September 2019 to any gambling advertising published under a contract or agreement entered into before 17 September 2017. We believe that the transitional period is time enough to implement a more substantial ban on the advertising of this extraordinarily harmful product.

The bill also includes amendments to the role and governance of the Victorian Commission for Gambling and Liquor Regulation (VCGLR), which we do not oppose, but we stand by our motion that we moved last year that there should be a full inquiry into the VCGLR, a motion that was voted down by the government and the opposition. This voting record goes to the broader issue of the failure of successive state governments to protect our community from the harms that the pokies industry continues to inflict on our community.

Over the last few months we have seen pokies licences extended to 20 years, when we should be starting to curb them and reduce them. This Parliament voted against a more substantial inquiry into the VCGLR. At the same time we have our largest casino being investigated about allegations of blanking out buttons, making poker machines even more dangerous. That is what happens when you do not have good regulation; you create an environment where providers feel they can continue to flout the law and are not fearful of the consequences. That is why we need a stronger regulator and a proper inquiry. The reality is that Victoria desperately needs to do more to reduce the harm of gambling. Yet in this place, despite the attempts in this bill, the government and the opposition have supported entrenching harm from poker machines for decades to come.

Why is banning advertising and why is a more extended ban on advertising necessary? It is because the problem is so deep and so harmful to so many. Just look at some of the statistics. We know that this is particularly harmful in terms of the link between the

AFL and gambling. A Deakin University study found that children who play or attend AFL games are the most likely to recall gambling brand names and sponsorship deals, which tells you why we need the ban on sporting grounds.

The Alliance for Gambling Reform released statistics that show that pokies owned by clubs take \$93 million each year, the majority of which comes from problem gamblers, who lose on average \$21 000 a year each, which is a quarter of the average wage. A recent study by Dr Charles Livingstone from Monash University found that gambling losses on 1316 machines at the 17 venues operated by nine Victorian clubs hit \$94 million last year. We have demonstrations of good civic responsibility, with clubs like North Melbourne being the only Victorian club not making its money from pokies.

In the north-western local government area where AFL pokies were located the average increase in family violence between 2013 and 2017 was 21.5 per cent, and we know there is an increasing link between harmful pokie machines and family violence. More than half of the 1316 machines owned by AFL clubs are located in Melbourne's socio-economically disadvantaged suburbs. Machines in the north-west accounted for \$54 million in punter losses last year, which equates to 57 per cent of the AFL clubs total — devastating figures.

Dr Livingstone also found that pokie concentrations are associated with higher levels of family violence incidents — overwhelmingly violence against women. He argues that a key way for the AFL to pursue their social goals would be to take steps to help clubs withdraw from the pokies business, and that is a call that we absolutely support.

It was also reported today that the VCGLR, as mentioned before, is investigating Crown for its breaches. It has allegedly been testing blanking buttons that block various gambling options that would otherwise be available to punters, particularly lower bet amounts. The aim is to boost the losses on the machines by blanking out those buttons. We welcome the VCGLR considering taking action against Crown and investigating this, but we want to see a stronger regulatory environment that prevents this happening in the first place.

The reality here is that there is a lot more to do in Victoria to get rid of the harms of gambling that hurt so many families and communities. If we saw anything on the weekend in terms of what happened in Tasmania with the courageous policy announcement to ban

pokies over the next five years, we saw an industry that was so scared that they poured hundreds of thousands of dollars into a campaign to ensure that their vested interests were protected for generations to come. Their vested interests are going to cost the interests of everyday Australians into the future unless we take strong action.

Mr RAMSAY (Western Victoria) (18:04) — I am pleased to be able to make a contribution to the Gambling Legislation Amendment Bill 2017. As other speakers have indicated, the purpose of the bill is to amend the Gambling Regulation Act 2003 to prohibit certain sports betting advertising, and it is also to amend the Victorian Commission for Gambling and Liquor Regulation Act 2011 to give the minister the power to ban certain betting. The bill also addresses various governance issues.

The main provisions of the bill will prohibit sports betting advertising within 150 metres of a school and on public transport infrastructure, including bus shelters and railway stations, and they will also ban sports betting billboard signage on roads. The bill will also amend the responsible minister's powers to ban certain betting or place conditions on an outcome offered by a wagering company.

The bill also makes other miscellaneous amendments, including ensuring unpaid gambling machine jackpots are repaid to the Responsible Gambling Fund. It makes changes to the process of making fixed-term ban orders to no longer require referral to the commission. It changes the process for approving premises — that is, for example, not being in the line of sight of a playground et cetera. It clarifies that the commission is required to consider technical standards for precommitment — that is, ensuring that new machines are compliant for YourPlay. The bill will also amend the Victorian Commission for Gambling and Liquor Regulation Act 2011 to address governance issues, including commission CEO appointments by the commission in consultation with the minister, and various clarifications in relation to inquiries requiring three or more commissioners.

I believe this bill has merit, and I say that because I have been concerned about the issue of gambling for a number of years now. I take Mr Morris's point that from our side of the house we are trying to respect the rights and freedoms of an individual to make certain choices regarding their recreational pursuits, and obviously gambling is one of those. In fact if we go back and look at Australian history, we know that Australians love to gamble. They will gamble on just about anything.

The point I think this bill is trying to make, and it is something that I support, is that we do not need to throw this issue in the faces — in respect of this legislation — of Victorians, particularly those that are most vulnerable. For once I do agree with the Greens in that there is no doubt that we have a specific social problem with pokies where they are easily available. We know that the odds are against you in terms of the likelihood of winning in the pokies, because they are actually structured not to pay out to a high percentage of players. In fact the house or the owner of the licence is and always will be the winner in relation to the percentage of payouts.

I understand with this bill that there are a range of harm minimisation tools, but I believe for many gambling is like a drug. Given that I spent four years of my parliamentary life looking at the impacts of drugs on our society, particularly methamphetamines, there is no doubt that I can see a similarity between those who are addicted to gambling and those who are addicted to drugs — that is, there is an ongoing need to fulfil that need — and I see that particularly in towns where pokies, perhaps more than any other gambling device, are being used and abused by those that can least afford to lose the money. It does become an addiction for many of those people who are caught in a spiral of gambling. They try to use gambling as a way and a means to increase their quality of life or pay off debt over and above the normal recreational pursuit, and that invariably has some significant social impacts.

I want to congratulate Tim Costello for the work he has been doing in this field. I have seen Tim on a number of occasions express similar concerns around the availability and use of pokie machines.

I do understand, as Mr Morris has said, that we do have a responsibility to create an appropriate balance to allow for the use of gambling tools, whether they be machines or something else, and to allow for that freedom of choice for individuals. At the same time obviously pokies provide that additional added financial stimulus particularly to those who are in the hotel business or the club business, which means they can provide increased services and improvements to their clubs. That may well result in subsidised meals and in providing a social service to those patrons. But I do think the disadvantage of the impact of those addicted to pokie machines outweighs any advantage that might come from improved or upgraded facilities and amenities, and any potential benefit that those machines might provide to the licensees.

I know I am straying from the bill, but given the Greens have foreshadowed amendments that will provide

greater restrictions, I assume, on advertising, which this bill mainly deals with, I just wanted to flag that I have similar concerns about the damage being done particularly by pokie machines, which seem to be more readily used by those who I consider to be addicted, and they have significant social impact to the detriment of those people addicted to gambling. I have been concerned while watching TV, and certainly the sports shows, that on an ongoing basis, whether it is Sportsbet or through other mechanisms, you are able to wager or place a bet. This is continually in your face on a 24-hour basis.

I think the removal of signage from near our young is a good thing. I am talking about the playgrounds of schools and bus shelters where there are congregations of students and children, and also its removal from our television and radio media, where it is continually and subconsciously reinforced that gambling and wagering is available, sexy, fun, recreational and everyone should be involved in it. That is something that we should advocate for a restriction on, and I am pleased to see this bill plays a part in that.

It is on that basis that I am happy to support our position — that we do not oppose this bill. I have just received the Greens amendments in respect of their position. I understand that we will go into committee. I might take that opportunity to ask a couple of questions around the minister's role in respect of the more robust powers regarding wagering systems and some of our larger wagering companies, perhaps even those that do not reside in Victoria but interstate but who are still able to sell their product in Victoria, and the impact that is having and how the minister may respond to that.

Mr DALIDAKIS (Minister for Small Business) (18:13) — As I have been listening to the debate in my office, I do not wish to delay this any further. I am happy to move into the committee stage to be able to take the members' questions and deal with them as they come. With that, I wish to commit this bill to the house.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1

Mr O'DONOHUE — Minister, I have a relatively small number of questions that relate to the bill, and I will put most of those on clause 1 if that is convenient to you. During the second-reading debate I flagged an

interest in knowing how many people have signed up to YourPlay. YourPlay was mentioned in the second-reading debate, and as I mentioned in my second-reading speech, the opposition supports a voluntary scheme, but we are keen to ensure that the scheme is accessible. Part of the bill seeks to achieve that accessibility, but we are also keen to see uptake continue. So if you have that information to hand, it would be much appreciated.

Mr DALIDAKIS — Thank you to Mr O'Donohue for his question. I can provide the member with some information as of 31 December 2017, which is the most recent information that we have. At that point in time we had 4.7 million gaming machine stations using YourPlay, more than 9.4 million responsible gambling information messages delivered to players advising them of their losses, 14 451 registered YourPlay cards issued to players, 39 046 casual cards activated and 3219 players who have set a personalised message to be displayed when they approach their playing limit. Although the evaluation of YourPlay is ongoing, I am advised that the data to date is obviously encouraging. As I have just indicated, that is the most up-to-date information that we have. I hope that assists you, Mr O'Donohue.

Mr O'DONOHUE — Thank you, Minister. It does assist me, and I appreciate that detailed information. Minister, just moving to the issue of the exclusion zone around schools, can you provide information as to how the 150-metre distance was arrived at?

Mr DALIDAKIS — I am advised, Mr O'Donohue, that the 150-metre limit is the same that is used for alcohol, and so that was adopted in terms of gambling at the same time.

Mr O'DONOHUE — Thank you. That is in relation to alcohol advertising, I assume?

Mr DALIDAKIS — Yes, that is correct.

Mr O'DONOHUE — And has this exclusion been modelled on other jurisdictions? Does this exist in other states of Australia?

Mr DALIDAKIS — As far as I am aware this is actually groundbreaking legislation that does not exist in other states or jurisdictions in Australia.

Mr O'DONOHUE — Thank you, Minister. I wish to move to the issue of prohibition on public transport billboards and the like. I just want to gain an understanding of where that will apply because, as you would know, Minister, the rail corridor and the VicTrack land that often abuts the rail corridor is

expansive. Will this prohibit billboard advertising on VicTrack land or along the Melbourne Metro rail corridor between stations? Can you give some sense of what the extent of that exclusion is?

Mr DALIDAKIS — I thank the member for their question. In relation to static betting, static betting advertising will be prohibited on all public transport infrastructure, including both fixed infrastructure such as train stations, bus shelters and tram stops and moving infrastructure such as trams, trains, ferries and buses. Static betting advertising will also be prohibited, as we have discussed, within 150 metres of a school, subject to exemptions that will apply for areas such as sportsgrounds and racecourses and signage to identify a wagering service provider's place of business. Finally, static betting advertising will be prohibited on roads, road infrastructure and road reserves, which will cover main roads, arterial roads, freeways and tollways as well as traffic control signs, embankments and noise walls. However, the prohibition does not apply to vehicles that are on a public road. Outside of this area static betting advertising is still permitted.

Mr O'DONOHUE — Thanks, Minister. So I take it from that that it is possible that static betting advertising, for example, on VicTrack land between two stations would be prohibited, subject to the existing permit or licensing requirements?

Mr DALIDAKIS — As best as I can advise you, Mr O'Donohue, we will have to take the question on notice in terms of the pure definition of public infrastructure as it stands. Because it is VicTrack land the view would be 'unlikely', but again I want to test that to give you a more concrete answer rather than 'unlikely'. So I will take that on notice, and in the course of the committee stage I will seek to have that answer provided to you prior to its completion.

Mr O'DONOHUE — Thank you, Minister, for seeking that clarification. Without reflecting on you or the good people giving you information, I am surprised that for what would appear to be a pretty simple question an answer cannot be provided. I do not want to monopolise the time of the committee. I have further questions, but I will happily defer to others who have them. A purpose of the bill, under clause 1(a)(ii), is:

to require unpaid jackpot amounts to be paid into the Responsible Gambling Fund ...

Are you able to provide an estimate of how much that will be on an annual basis?

Mr DALIDAKIS — Mr O'Donohue, thank you for your question. We can advise that it is hard to put a

forward estimate on this figure because it is determined of course by the number of venues that will have closed. It is a retrospectively calculated figure. As best as we can tell, the expectation is that there may not be more than half a dozen or so venues. That is what we believe will occur under this scenario. From that figure you can work out that it is a very small number of both machines and venues themselves. So it is not a significant number per se.

The ACTING PRESIDENT (Mr Melhem) — I call on Dr Ratnam to move her amendment 1, which is a test for her amendments 2 and 3.

Dr RATNAM — I move:

1. Clause 1, lines 7 to 9, omit "on public transport, near schools and on public roads, road infrastructure and road reserves" and insert "other than in limited circumstances".

Essentially we have five amendments. These three amendments sit together as there are two consequential amendments, and I will just summarise what they are attempting to achieve. The first amendment seeks to amend the purpose of the act to reflect our substantive amendment to extend the prohibition of gambling advertising, as spoken to before. The second part is the substantive amendment and provides a blanket prohibition on static gambling advertising. The bill prohibits static gambling on public transport infrastructure and advertising near schools and on public roads. Our amendment takes those specifics away to make it an overall ban so it achieves that goal. Amendment 3 is a consequential amendment that removes unnecessary definitions, as we no longer need to define 'schools' or 'public roads', for example, if the first amendment proceeds.

Just speaking to those amendments, as I said in my initial contribution, we have a really harmful product here on our hands. The evidence speaks for itself. We have got communities crying out for substantial reform. We have governments who have been unwilling to exert the political courage to actually gain real reform, and we saw that just on the weekend. We have elections being swung by advertising from the pokies industry, which wants to protect their vested interests. We cannot let that happen in Victoria.

We have a bill that improves the state of affairs in Victoria, and we welcome that, but it does not go far enough. We have an opportunity to really strengthen this, and we have done it before across the state and the country where we have seen harmful products being regulated and advertising limited because of the harm we know it causes. We are talking here in a large part

about children's exposure to this type of dangerous advertising. We know kids frequent sporting grounds. They spend most of their weekends there, yet we are providing an exemption for sporting grounds. We have got this collusion of the pokies industry and sporting associations.

Business interrupted pursuant to sessional orders.

Sitting extended pursuant to standing orders.

Committee resumed.

Dr RATNAM — We know that we need to regulate harmful products, and as more and more evidence emerges of how harmful gambling is across our community, we spend millions and billions of dollars trying to compensate for the harm that it causes. We have before us an opportunity to limit the harm through advertising and we know it can play a significant part in terms of shaping the future gambling habits of Victorians. You normalise gambling when there is advertising on sporting grounds and though we are introducing some limits to it — which we said we welcome — it should go further. We are not actually limiting exposure that children face every day to gambling advertising. We urge everyone in this Parliament to demonstrate the courage that is needed to protect particularly our children from the harms of gambling for their futures to come. If we look back in 10 or 20 years time when people have been really manipulated by this industry and a number of forms of gambling and had their lives ruined because of it, we will ask ourselves, 'Did we do enough to stop it?', to prevent the harm that we know will ensue if we do not take strong action. I put my amendments to the house.

Mr O'DONOHUE — The opposition will not support the amendments moved by the Greens. We welcome the prohibitions that are contained within the bill, and we think as a first step these are sensible. We can debate their extent and whether they should go perhaps further or where the line is, but we do not support a blanket ban as the member has proposed. On that basis we will not support this amendment.

Mr DALIDAKIS — The government will not be supporting the amendment as put up by Dr Ratnam, for the reasons that Mr O'Donohue elucidated. Also we believe that the legislation that we have before the place strikes the right balance between the circuitous issue of gambling addiction, which we acknowledge is one of the community needs to be aware of and be concerned by, and the ability of people to exercise their freedom of the right to participate in gambling activities. So as a result we will not support the amendments.

Committee divided on amendment:

Ayes, 5

Dunn, Ms (*Teller*)
Pennicuik, Ms
Ratnam, Dr

Springle, Ms
Truong, Ms (*Teller*)

Noes, 35

Atkinson, Mr
Bath, Ms
Bourman, Mr
Carling-Jenkins, Dr
Crozier, Ms
Dalidakis, Mr
Dalla-Riva, Mr
Davis, Mr
Eideh, Mr
Elasmar, Mr
Finn, Mr
Fitzherbert, Ms
Gepp, Mr (*Teller*)
Jennings, Mr
Leane, Mr
Lovell, Ms
Melhem, Mr
Mikakos, Ms

Morris, Mr
Mulino, Mr
O'Donohue, Mr
Ondarchie, Mr
O'Sullivan, Mr (*Teller*)
Patten, Ms
Peulich, Mrs
Pulford, Ms
Purcell, Mr
Ramsay, Mr
Rich-Phillips, Mr
Shing, Ms
Somyurek, Mr
Symes, Ms
Tierney, Ms
Wooldridge, Ms
Young, Mr

Amendment negatived.

Mr DALIDAKIS — I take the opportunity to come back to Mr O'Donohue, as I said I would, by taking an earlier question on notice. The answer to Mr O'Donohue is that if it is in fact on VicTrack infrastructure — and a fence, for example, would be considered VicTrack infrastructure — then of course the answer is that it would be prohibited as per the earlier discussion.

Clause agreed to; clauses 2 to 4 agreed to.

Clause 5

Mr O'DONOHUE — Clause 5 deals with the fixed-term ban order and says:

The Minister may make an order banning a gambling product or gambling practice that is the subject of an interim ban order for a period not exceeding 10 years, if the Minister is satisfied that the product or practice undermines or may undermine a responsible gambling objective.

Minister, that is a very broad test, and I am wondering whether you can provide some clarity to the committee about what in practice that might look like. Can you describe the responsible gambling objectives and then what the minister may rely upon — whether regulation, practice or guidelines — or will the minister basically have unfettered discretion to determine whether the banning order is put in place?

Mr DALIDAKIS — I thank the member for his question. Can I say from the outset that the fixed-term

ban of course is for a period not exceeding 10 years, so it does provide, obviously, the minister with the ability to set a term of less than 10 years. That is the first thing. The second thing that I think is important to note is that clause 5 of the bill does establish that process. It is a new process for the minister in making a fixed-term ban order if the minister is satisfied that the product or practice undermines or may undermine a responsible gambling objective. So, yes, it is a new opportunity for the minister to participate in the process, but the objective of this clause is to try and assist the minister with ensuring that the spirit or the good-faith nature of the bill is complied with.

It also specifies, of course, that in making a fixed-term ban order the minister must consider any submission made by a person who provides the affected gambling product or adopts the gambling practice. In addition the minister can seek advice from any person that the minister believes can provide advice in relation to the matter. So of course what it does do is provide an opportunity for the person — I use ‘person’ also in terms of a body corporate — to respond should the minister look to pursue such an order against them. But that should hopefully give you an understanding of both the length of time and also how a minister in this government or a future government would look to implement that clause.

Mr O’DONOHUE — Thank you, Minister, for that clarity. Just a follow-up question: is it envisaged that the department will be developing any guidelines to operationalise or in effect give guidance in relation to the exercise of the minister’s discretion? Or will it remain that the minister’s discretion will be determined by the words of clause 5 alone?

Mr DALIDAKIS — I thank the member for his question. At this stage it would be used at the discretion of the minister, and the reason it would be done as such is that the use, or the intention of the use, of this clause is for unforeseen circumstances. It is very difficult to put a practice note together to provide for unforeseen circumstances, and this is why the opportunity for a person or persons affected by such an order will exist to obviously make submissions on their own behalf in relation to it if they find themselves caught up by clause 5 at the minister’s desire.

Mr O’DONOHUE — Thanks for that clarity, Minister. I just have one further question in relation to clause 5, which inserts new section 2.5A.9(1B) into the Gambling Regulation Act 2003. In making a fixed-term ban order you referred to subsection (1A), which reads in part, ‘the Minister must consider, but is not bound by, any submissions received’ and ‘may seek, but is not

bound by, the advice of any person the Minister thinks fit’.

In relation to subsection (1B), the minister may make a fixed-term ban order even if the minister has not received any submissions within the time limit referred to. Why is that actually necessary to stipulate in the legislation?

Mr DALIDAKIS — I thank the member for his question. Subsection (1B) in its wording says:

The Minister may make a fixed term ban order even if the Minister has not received any submissions within the time limit referred to in section 2.5A.4(3).

The reason for this new subsection is to make due process available to persons that are affected by it. If they do not provide a response within that 90-day time line, then it provides the opportunity for the minister to proceed with the order. As a result, we want to make sure that people have an opportunity to defend themselves, but should they choose not to then the minister should not be withheld from moving forward with that fixed-term ban order.

Clause agreed to; clauses 6 and 7 agreed to.

Clause 8

Mr O’DONOHUE — Minister, I just have a point of clarification in relation to the consideration and making of an amendment under clause 8. Proposed section 3.4.20(3E) inserted by clause 8 says:

If the Commission grants an amendment subject to conditions and the conditions are not met, the Commission must amend the conditions on a venue operator’s licence to reduce the number of gaming machines permitted in an approved venue on the grounds that the venue operator has failed to meet a condition on the licence relating to additional gaming machines.

And then proposed subsection (3F) says:

If the Commission amends a licence on the grounds set out in subsection (3E), the number by which the permitted gaming machines is reduced must be equal to the number of additional machines relating to the condition or conditions which the venue operator has failed to meet.

I just want to clarify if that is a strict test in effect. The number of gaming machines reduced will be equal to the number of additional machines relating to the condition or conditions which the venue operator has not met. Can it be more than that or is that a strict test?

Mr DALIDAKIS — I thank the member for his question and the opportunity to provide that clarification. It is indeed as clear as it is written there. So if venue A gets an additional licence for one

machine and does not meet those conditions, there cannot be punitive requirements for them to have more than that machine that they were entitled to then receive to be then taken away from them as a condition. That is why (3E) and (3F) are written the way that they are.

Clause agreed to; clause 9 and 10 agreed to.

Clause 11

Mr RAMSAY — Mr O'Donohue asked the question I was going to ask in relation to the unclaimed jackpot special prize money that is allocated to the gambling fund for those venue operators that decide to leave the industry. Would the minister be able to tell me how and on what basis that money is distributed in relation to the act that it sits under in relation to the Victorian Responsible Gambling Foundation? With the gambling fund itself, where are those funds principally directed to negate the reasons why we have this bill, which is to remove some of the incentives to gamble? Are those directed directly to charities, to the gambling fund, to individuals or to promotion about the dangers of gambling et cetera?

Mr DALIDAKIS — I thank the member for his question. In relation to this, to provide a level of confidence to the member, in my earlier response to Mr O'Donohue what I provided was that this would be done retrospectively. I will get to the question about where the funds are directed in a moment, but the point is that this is not expected to be either a significant amount of money or a significant number of venues. The expectation is that this may be no more than five or six venues, and obviously the size of the venue will elicit an understanding of the type and number of machine numbers that will be included.

The reason that those funds are then directed to the Victorian Responsible Gambling Foundation is so that those funds are used in an appropriate way to support people that are struggling with addiction, and the gambling foundation does a number of activities. I do not have the ability to give you a brief about the foundation itself and what it does, but I am certainly happy to seek the support of the minister's office in the other place and get you a briefing on the foundation and what the foundation does do, which may assist you in better understanding how it works and where the money is directed.

Mr O'DONOHUE — I just wanted to seek clarification, Minister. The amendments talk about the Responsible Gambling Fund, and you are talking about the foundation. They are two separate things from my understanding. Can you clarify please?

Mr DALIDAKIS — Yes. The gambling fund is established by the Victorian Responsible Gambling Foundation, so the effect of one is the auspice of the other, hence my use of the term 'foundation' as distinct from the fund. So the foundation administers the fund, and of course what they do is undertake awareness for and treatment of gamblers in need of help. That is predominantly what their primary purpose is. But certainly in terms of the programs they run and how they provide that assistance, that is of course what I offered to undertake to get the member a briefing on.

Mr RAMSAY — If I may, without prolonging this part of the committee stage: I would be interested to know — and I am not sure if the minister would know right at this minute — how much money that fund currently holds.

Mr DALIDAKIS — I thank the member for his question. The answer to that, Mr Ramsay, is: \$148 million was provided over four years towards gambling assistance programs — that includes awareness campaigns as well as counselling — plus an additional \$2 million above that \$148 million, taking it to a total of \$150 million. That \$2 million was used for the YourPlay program that Mr O'Donohue and I discussed earlier in the committee stage.

Mr O'DONOHUE — Minister, just following on from Mr Ramsay, noting your answer to my earlier question — that the amount of funds that may be paid to the Responsible Gambling Fund as a result of these changes is likely to be quite small — can the committee seek some comfort from you that any extra revenue that is received will be in addition to the \$148 million? Without relitigating the point, it will not see money rediverted back to treasury, particularly given the fact that the amount of money provided to the foundation has been reduced.

Mr DALIDAKIS — I thank the member for his question. I can confirm that this is very clear in the legislation: the payment of unpaid jackpots does indeed go to the Responsible Gambling Fund. If I understand the intention of the question from the member, should that be a significant amount of money there will not be moneys diverted from that fund. I can confirm that \$148 million was in the budget for the forward four-year estimate, so there would be no such intention from the government at this point in time. Of course bear in mind we have an election in November; there may be a different government after that election. I cannot comment on what that government will or will not do. But this government will not look to divert funds should there be a significant amount or even a small amount, and that is why it is very clearly written

in this legislation that those funds will be diverted into the foundation fund itself.

Mr O'DONOHUE — Just around the other point, looking forward to the election period is all hypothetical at this stage because the government in allocating the \$148 million did not determine to make that ongoing funding and an appropriation will have to be made in the May budget in seven or eight weeks time for the foundation to continue to exist after 30 June.

Mr DALIDAKIS — I think I have had this dance with you before, Mr O'Donohue, on a previous piece of legislation in relation to budget bids. The budget of course is an opportunity for all ministers to litigate their desires for programs that are either lapsing programs or new programs. So that will be for the government of course in their current budget process to work through, and this government looks forward to going through that budget process and obviously having your keen eyes scrutinise it.

Clause agreed to; clauses 12 to 17 agreed to.

Clause 18

Dr RATNAM — I move:

4. Clause 18, page 7, lines 4 to 9, omit all words and expressions on these lines and insert "broadcast television, radio or digital media such as websites or social media."

Amendment 4 essentially keeps a provision that excludes TV and radio and the internet from the definition of static advertising. However, it does extend the ban to print advertising. We can appreciate that the Victorian Parliament cannot legislate to ban advertising on TV, but we do call on the government to pressure the federal government to introduce restrictions on TV gambling so we can ensure that we reduce the harm from gambling.

Speaking to this amendment, we have a bill here that recognises that gambling advertising causes harm, so much so that it does impose some restriction on that advertising. As I have spoken about in the debate before, we think the ban should be extended much, much more broadly. In some ways it is saying, 'Yes, it is harmful and we have to introduce some regulation on it, but we're saying it can be advertised widely in print'. We are saying that particularly for vulnerable groups like children, where we do not want children to be exposed to this rampant gambling advertising, we see the industry getting more aggressive with its gambling advertising, trying to ensure that it gets into the homes

of more people across this country and across this state. Yet we have a contradictory element which is saying, 'There is no limit on print advertising'. We have to ask ourselves the question of why this contradiction exists.

We had a member make a contribution before about how they felt the Tasmanian election on the weekend was a referendum and somehow supported the gambling industry, and I would argue that it was everything but. It told us about a heist by the industry on the community. There was an advertising campaign that was waged in Tasmania which scared people unnecessarily — that restricting pokies across the state would somehow be harming their local pubs and clubs. But what we have seen this industry do is not only get individuals addicted to its product but also get the places that we really treasure and revere, like clubs and pubs in our community that we need to build our communities and that we all connect to, addicted to the pokies and gambling.

We had this scare campaign that these treasured institutions will somehow suffer if we limit gambling, but what we have actually done is stifle the creativity of those civic places, our pubs and clubs and our sporting institutions. We increasingly now rely on gambling and therefore the gambling advertising to drive that. We stifle the pubs and clubs industry innovation to keep people coming into those spaces. We stifle the music industry, with pokies taking the place of where music should be bringing people in. We have changed the very nature of those places. We have got RSLs across the country. I have got a number in my municipality that say no to the pokies and create really wholesome places for people to actually congregate, but we have others that become essentially like mini casinos and push out the other activity that should actually occupy those places.

We have a bill here which is on one hand saying that gambling advertising is harmful and on the other hand saying, 'No, the industry can still have its way in print media and other forms of media' — still causing the same level of harm. I am certain that this debate would have been similar when we were thinking about smoking back in the day. We now have a situation where we actually have to hide the packaging of a harmful product like cigarettes because we know the impact it has on communities. Similarly we have a situation with gambling happening right across this state. We know how harmful it is. We say, 'We'll do a little bit here', but we do not go far enough because we are in the pockets of the industry.

It is time to get this industry out of our communities where it is doing so much damage. Before we lose so

many communities to breakdowns with so much financial harm and stress, let us limit that advertising now before it is too late for everyone. We know that gambling costs our communities billions of dollars — money that should be going into our economic industries, propping up the industries of the future as we transition away from some of the old industries. But instead that money is going into the hands of a few, who make huge profits at the cost of great harm, and then we have to develop compensation mechanisms for it as well. So if we are serious about limiting the harm that gambling causes by limiting the advertising, which this bill commendably does, we should go further and limit the advertising in print media as well.

Mr O'DONOHUE — The Liberal-Nationals coalition opposition will not be supporting Dr Ratnam's amendment. Again, we could have a debate about the extent of the changes that have been proposed by the government — about whether that is the right balance, whether it goes far enough or the like — but we do not support the extent of the prohibition that the Greens are proposing. Very briefly, I will make a couple of reflections on Dr Ratnam's comments. Mini-casinos exist in New South Wales; in Victoria again we can argue about this, but the number of machines per venue is limited, which creates a very different industry to the type of industry that exists in New South Wales. So that sort of commentary, I think, is incorrect. In relation to live music venues, that is why the agent-of-change principle is so important. What poses the greatest risk to live music venues is the extra population living around so many of these venues. When I say 'the greatest risk', it is a significant threat, and that is why the agent-of-change principle was so important and why noise attenuation and acoustics are so important in the development and refurbishment of venues. While I do not wish to enter the debate about the Tasmanian election, I just make the observation that perhaps the Liberals won 50 per cent of the primary vote because the Tasmanian government is doing a good job.

Mr DALIDAKIS — I thank Dr Ratnam for her oration. It is clear why she was elected leader of her party prior to entering Parliament — because of her desire to give set speeches. Let me provide Dr Ratnam with some context. Having run for federal Parliament, I would have thought that Dr Ratnam would appreciate that there are limitations that the state government has. Those limitations are spelt out in our constitution. They afford the federal Parliament rights and responsibilities over and above the state government, as of course we have rights and responsibilities over local government. In relation to advertising and the areas she is seeking to control with her amendment, they are not areas that we have the ability to oversight from a regulatory or

legislative framework. When we have media controlled by federal government legislation, we need to be mindful of that. I certainly understand the good-faith nature of Dr Ratnam's amendment, but it is not something that we as a government are able to support, so the government will not be supporting the amendment as it stands.

Committee divided on amendment:

Ayes, 5

Dunn, Ms
Penuicuik, Ms
Ratnam, Dr (*Teller*)

Springle, Ms (*Teller*)
Truong, Ms

Noes, 34

Atkinson, Mr
Bath, Ms
Bourman, Mr
Carling-Jenkins, Dr
Crozier, Ms
Dalidakis, Mr
Dalla-Riva, Mr
Davis, Mr
Eideh, Mr
Elasmar, Mr
Finn, Mr (*Teller*)
Fitzherbert, Ms
Gepp, Mr
Jennings, Mr
Leane, Mr
Lovell, Ms
Melhem, Mr

Mikakos, Ms
Morris, Mr
Mulino, Mr
O'Donohue, Mr
Ondarchie, Mr
O'Sullivan, Mr
Peulich, Mrs
Pulford, Ms
Purcell, Mr (*Teller*)
Ramsay, Mr
Rich-Phillips, Mr
Shing, Ms
Somyurek, Mr
Symes, Ms
Tierney, Ms
Wooldridge, Ms
Young, Mr

Amendment negatived.

Dr RATNAM — I move:

5. Clause 18, page 17, lines 28 to 32 and page 18 lines 1 to 2, omit all words and expressions on these lines and insert —

“(ii) that is at a racecourse, and consists only of a display of the name and registration details of an individual registered bookmaker with a business that is physically located at the racecourse”.

This amendment essentially exempts from the ban having the logo or name of a wagering service provider on a building they occupy and allows bookies at a racecourse to show their name, but it otherwise removes the exemptions for sporting grounds and racecourses generally. Once again, consistent with what we have been arguing previously, we have a bill here that says, 'This product is dangerous and we have to limit its advertising', yet we are allowing for advertising in one of the places that is most vulnerable to young people seeing that advertising, which is sporting grounds. On one hand we are saying, 'Let's limit it near schools because young people will be exposed to that', but we know by and large our young

people are at sporting grounds on their weekends and their weeknights; that is their recreational and social activity, and yet we are not willing to restrict it in those spaces.

We have heard the evidence about the worrying link between sport and gambling. We are seeing gambling infiltrate every aspect of our sporting activity; there is rarely an event we can watch now without gambling advertising being shoved down our throats, and it is time that we start to limit it. I have been in local government, where there is so much pressure; there is a lack of funding for sporting infrastructure, and as a result we have got sporting clubs who are starting to sell their naming rights. Are we soon going to see the local footy oval called the 'TAB Sporting Ground' as opposed to what it should be named — a specific reference to its location? That is the slippery slope that we are on. Not having the courage to actually ensure that sporting grounds also do not get inundated with gambling ads shows a real lack of political will to contain what we know is causing so much harm across our communities.

Mr O'DONOHUE — The opposition will not be supporting the amendment.

Mr DALIDAKIS — I thank Dr Ratnam for her impassioned plea to listen to her. The government will not be supporting the amendment, and let me say that I am not going to be lectured by the Greens on transparency when they have hidden their own bullying claims against their Batman candidate and yet want to walk into this place on a different issue and lecture us about transparency and integrity when they have none on other issues.

Committee divided on amendment:

Ayes, 5

Dunn, Ms	Springle, Ms (<i>Teller</i>)
Pennicuik, Ms (<i>Teller</i>)	Truong, Ms
Ratnam, Dr	

Noes, 35

Atkinson, Mr	Morris, Mr
Bath, Ms	Mulino, Mr
Bourman, Mr	O'Donohue, Mr (<i>Teller</i>)
Carling-Jenkins, Dr	Ondarchie, Mr
Crozier, Ms	O'Sullivan, Mr
Dalidakis, Mr	Patten, Ms (<i>Teller</i>)
Dalla-Riva, Mr	Peulich, Mrs
Davis, Mr	Pulford, Ms
Eideh, Mr	Purcell, Mr
Elasmar, Mr	Ramsay, Mr
Finn, Mr	Rich-Phillips, Mr
Fitzherbert, Ms	Shing, Ms
Gepp, Mr	Somyurek, Mr
Jennings, Mr	Symes, Ms

Leane, Mr
Lovell, Ms
Melhem, Mr
Mikakos, Ms

Tierney, Ms
Wooldridge, Ms
Young, Mr

Amendment negated.

Clause agreed to: clauses 19 to 31 agreed to.

Reported to house without amendment.

Report adopted.

Third reading

Motion agreed to.

Read third time.

MAJOR EVENTS LEGISLATION AMENDMENT (TICKET SCALPING AND OTHER MATTERS) BILL 2017

Second reading

Debate resumed from 14 December 2017; motion of Mr JENNINGS (Special Minister of State).

Mr ONDARCHIE (Northern Metropolitan) (19:20) — The Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017 is the one that is before us today in the house. The bill changes the name of the Major Sporting Events Act 2009 to the Major Events Act 2009. It then amends the act to provide for controlling the secondary ticket market for major sporting and cultural events, meaning scalping. Previously it was just for selected sporting events. It creates a position of authorised ticketing officers, with a virtually identical role to police in monitoring and catching scalpers. The bill also repeals the Tourism Victoria Act 1992 in light of the creation of Visit Victoria in place of Tourism Victoria.

Victoria was one of the first jurisdictions to have a major sporting events act, which protected our events in various ways, including protection from ticket scalping. The act said that for a range of nominated sporting events it would be illegal to onsell tickets for a value above the original sale price. This bill extends that protection to other major events as selected by the minister. It might apply to a concert, to a theatre production or to other similar large cultural events. It appoints authorised ticketing officers to monitor websites — for example, eBay or Craigslist — for scalpers or people trying to profit from the resale of purchases and to have them in attendance at events, which will free up police to do other roles.

Crime has got away from us in Victoria. We used to talk about one major thing happening a day; there are now two, three or four major things happening every single day, and we need our police on the beat doing something. The appointment of these authorised ticketing officers to look at websites and be around concert venues, theatre productions and other large events will free up police to do the stuff they need to do — and that is, protecting Victorians.

It has taken some time for the government to work that out, I have to say. It has taken some time for the government to work out that one of the duties of a government is to protect its citizens. Yesterday with fanfare it raced down to the police academy and said, 'Guess what? We're releasing more police'. I have to say the crooks already knew there were not enough police on the beat. They have already worked that out, and now the government, in a last-ditch effort prior to the election, is saying, 'We're doing something to try to help out Victorians'. Some would say it is a little too late, but we hope that Victorians can be made safer.

The main provisions of the bill include clause 4, which changes the name from the Major Sporting Events Act 2009 to the Major Events Act 2009. Several of the clauses change the word 'printed' to 'displayed' in reference to prices on tickets, given that tickets are not always printed by the promoter. Some are printed at home and some are available for scanning from a smartphone. I have to say that I have always found it curious that when you buy tickets online and they offer you the opportunity to print them at home you have to pay for that — and you pay extra for that. So I always find it a little curious that I do the printing, I do the folding, I do the scanning, and they say, 'You'll pay us for that'. I find that curious.

Clause 10 changes the illegal activity from selling five or less tickets above face value to selling them for a price that exceeds its face value purchase price by more than 10 per cent. Clause 11 is similar to clause 10 but applies to the sale of six or more tickets, and we will work that out somewhere through the committee stage, I suspect, with the minister. The original legislation says it is up to five tickets, and now the bill says six or more. Some would tell me that that is the same thing. Several clauses insert 'or an authorised ticket officer' after 'a police officer or an authorised officer' and make similar changes to give authorised ticketing officers powers.

Clause 16 of this legislation inserts a new part 9A, 'Major event ticketing'. There are a significant 12 pages of additions to the act, which outline the processes, the offences, the penalties, the notice and the

review, as they relate to ticketing for major events, and we will explore those in the committee stage.

Clause 18 inserts new section 183A, which relates to the appointment of authorised ticketing officers. Clause 19 talks about the identification required by authorised officers and authorised ticketing officers. Clause 22 of this major events legislation provides authorised ticketing officers with powers particularly relating to their request for the names and addresses of scalpers.

Clause 24 relates to transitional provisions from the Major Sporting Events Act title to the Major Events Act title. Clauses 25 and 26 repeal the Tourism Victoria Act 1992 and abolish Tourism Victoria, and clause 27 makes some consequential amendments. It is a hefty bill that should be designed, in our view, to protect the public and provide more transparency, and I will talk a bit more about that in my contribution tonight.

I have some things that I am worried about with this bill — things that concern the opposition. For example, for declared sporting events, scalping has already been banned. Tickets had to be resold at face value or less. Now they can be resold with a 10 per cent premium. Another thing that concerns us is that the bill does not mention time frames for a declaration. It says the minister must declare an event before tickets are printed, but it does not go on to say anything about the minister having to act in advance of a series of events going on sale. For example, if Bernie Finn and the Tigers — I think is the name of the band — are playing, and if concerts 1, 2 and 3 sell out very quickly, the minister may declare any other concerts in that series a major event, meaning that all future tickets are protected by this law, but the tickets for the first three are not. It does not make sense, and I want to talk a bit more about that.

The current section 167B(1) provides that if a police officer 'believes on reasonable grounds that a person has committed, is committing or is about to commit an offence', action may be taken. Aside from inserting 'or an authorised ticketing officer' after 'officer', this clause has not changed at all from the old act. 'Is about to commit an offence' is trying to predict the future and may be questionable. So let me just work out how this might play out, and we will talk with you, Minister, more about this in the committee stage of the bill, but I am trying to work out how you think they 'may' commit this act and they 'may' decide to sell the ticket will work. We will work that out.

Similarly, changes to section 167B(4) mean officers are not required to follow ticket seizure procedures if the

authorised ticketing officer or police officer ‘believes on reasonable grounds that it is impracticable to do so’. This is very, very open to interpretation, and we want to make sure that in this house of review we get this right.

In regard to declaring an event major, it says under new section 182C:

- (2) In making a decision under subsection (1), the Minister—
- (a) may consider the ticketed event organiser’s submission (if any); and
 - (b) may consider the ticketed event organiser’s request (if any); and
 - (c) must consider whether the ticketed event is major, having regard to the likely number of attendees for the event—
 - (i) on a particular occasion only; or
 - (ii) over the duration of the event; and
 - (d) may consider any other matters the Minister considers appropriate.

What the bill is saying is that crowd size is a consideration of whether an event is a major event or not. However, it does not take capacity into consideration. I will give you an example. Let us say selling 50 000 tickets to Etihad Stadium is near capacity. However, only selling 50 000 tickets at the MCG, which has a capacity of around 100 000, I think, Mr Finn, would be considered a failure.

Mr Finn — 100 024.

Mr ONDARCHIE — 100 024, Mr Finn tells me, all of which were at the MCG on the last Saturday of September to see the Tigers take out the premierships cup. But that is history. That is the previous grand final, and we are in 2018 now.

In his second-reading speech the minister said:

The criteria that I will use to determine whether an event should be considered as a major event under the act, will be similar to what is contained in section 9(1) and 2(a–g) of the Major Sporting Events Act. This includes such factors as:

- the size of the event;
- likely demand for tickets —

Business interrupted pursuant to standing orders.

Sitting extended pursuant to standing orders.

Mr ONDARCHIE — Thank you, Minister. I knew you were enjoying this and wanted more. The minister said this in his second-reading speech:

The criteria that I will use to determine whether an event should be considered as a major event under the act, will be similar to what is contained in section 9(1) and 2(a–g) of the Major Sporting Events Act. This includes such factors as:

- the size of the event;
- likely demand for tickets;
- exclusive global content;
- the likely media coverage of the event;
- the contribution to Victoria’s international profile as a host of major events; and
- where requested by promoter or event organiser.

He also indicated that these are not exhaustive categories.

Now, we have a major event coming up here at Albert Park in just a few weeks — the Australian Formula One Grand Prix, which is fantastic for Victoria, fantastic for Melbourne, fantastic for international tourism and fantastic for the hospitality money that we make and the overall benefits to the economy. We love our Australian Formula One Grand Prix here, and may it continue for many, many years.

The bill also says under new section 182C:

- (5) If the Minister makes a major event ticketing declaration, the major event ticketing declaration must specify whether it applies to—
- (a) the holding of the ticketed event on a particular occasion only; or
 - (b) the holding of the ticketed event generally, regardless of when or how often the event is held, until the major event ticketing declaration is revoked.

Acting President, if you are finding this cumbersome already, how is the public going to do this? We will talk more about that in the committee stage and about making this much more understandable and much more transparent. I am definitely not reflecting on the Chair when I say that; I think it is a shared view here.

New section 182K(2) refers to a purchaser surrendering a ticket. The officer may arrange for a photograph of the ticket, must record the details of the ticket and its surrender, may ask for the purchaser’s name and address and ‘must return the ticket to the purchaser’ as soon as these requirements have been met. Therefore, if the purchaser declines to provide their details, as they have not committed a crime by purchasing a scalped ticket, it is not clear whether the ticket will be returned to them or not.

How would you feel if you were going to a major event — if you were standing outside, for example, at the Melbourne Cricket Ground dressed in yellow and black, waiting to rush in and see your team compete in the grand final — and some bloke comes up and says, ‘I think you’ve scalped this ticket; give me the ticket’, and you say, ‘I haven’t, I just bought it legitimately’, and he says, ‘No, I think you bought it from a ticket scalper’, and you say, ‘No, I bought it legitimately’, but he takes it off you, there is some dispute and by the time that dispute is underway you hear the siren going off for the start of the match and the roar of the crowd and you are still not in? It is not clear whether you are going to get the ticket back.

New section 182N(3) says:

The Minister may direct that any tickets forfeited to the Crown under this section be disposed of in any manner that the Minister thinks fit, including destruction.

Does this mean the minister can give tickets to his mates? Maybe he says, ‘I’m not going to get rid of them; maybe I’ll ring up my mates and give them tickets. Rather than hand it to them on the end of a butter knife, I could perhaps just hand over the tickets to some of my friends’. Now, that could be highly competitive, and we would not want to see in Strangers Corridor butter knives at 400 paces, all sharpened and ready to go because they want these tickets from the minister. It could be messy.

Again, new section 182N(3) says:

The Minister may direct that any tickets forfeited to the Crown under this section be disposed of in any manner that the Minister thinks fit, including destruction.

As I said, does that mean then that he can just simply hand them around? Maybe he could hand them around at an ALP fundraiser. Maybe he could give them to people who have been working for him campaigning that he has never met before. Who knows. Maybe Peter Marshall will get some out of this as well, although he has had a fairly good day, I think. It also does not mention a ticket scheme proposal, a TSP, for major events but retains the TSP for sporting events.

Crown Resorts — Crown Casino and Crown Entertainment — have had issues with scalpers selling tickets for their events, but most of those came through the viagogo website. That is a site that is located offshore and this bill has no impact on it, so people have been able to buy some tickets through viagogo, which is located beyond Australia.

Mr Finn — Some have really lost out big time.

Mr ONDARCHIE — Yes, some have suffered seriously from this as well. Registered professional resellers say an event can be declared as a major event after tickets go on sale. Organisers could exploit this, I guess, by having their event declared so as to curtail competition in the secondary market, potentially after resellers have already invested. It is cumbersome, this bill.

What I find very interesting is that a lot of us — me certainly, and others — buy tickets electronically. The government has not seen fit to move with technology here. They could have used this bill to ban the automated bot software that purchases tickets within moments of release. Software exists where when you hit the button — bang! — it goes out and chases it for you and you secure some tickets at a good price. They have done nothing about that. This is about giving consumers, our Victorians, a fair go to attend events at a fair and reasonable price, knowing what the market is putting before them.

The registered reselling industry has concerns about seating allocation numbers. If the seller had, let us say, some gold, silver and bronze sections and one sold better than another, what would stop the seller from expanding or reducing various sections? If the bronze section was selling well, they could wind that area up and say, ‘No, we’re expanding the silver and the gold sections’ just to increase the revenue. There is nothing within the bill that would help or affect this.

Mr Finn interjected.

Mr ONDARCHIE — ‘Something that others would do’, Mr Finn says.

Mr Finn interjected.

Mr ONDARCHIE — Indeed. There is no specific mention of business events in the bill, act or second-reading speech, but the department said at the briefing that they could be major events as well. A major event could be a big conference that is being held. There is nothing referred to about that.

During the briefing the department said the bill countered ambush marketing. When you look through the elements of this bill — and the minister responsible for the bill is not here but hopefully he will read tonight’s *Hansard* and understand what we are talking about — it appears that ambush marketing is not prevented by this bill. The current act talks about marketing in relation to sporting events, but that does not seem to roll out to other major events as well. Similarly that applies to aerial advertising. Only specific sporting events are mentioned. There is no

provision for other events specified by the minister. We will say more about that as we go through the committee stage of the bill.

This is absolutely about making sure that our consumers have some protection in this. It is about making sure that those who are buying tickets legitimately get a fair go. Often people buy tickets in advance to sporting events, concerts, plays, *Disney on Ice* or whatever it may be. They say, 'I just might buy some tickets to *Beautiful: the Carole King Musical* for my wife for her birthday, which is in a couple of months. I might choose to do that'. You might choose to say, 'Well, there's a major event coming up in a few months. I'll buy tickets in advance'. What this bill is designed to do, but it has not quite got there, is to make sure I am protected in that, that I know what the market looks like, that I know what the offerings look like and that nobody is trying to pull a fast one on me by packaging up something different.

As an opposition we have chatted to a number of people about that. The shadow Minister for Tourism and Major Events has spoken to Ticketmaster, to Crown Casino, to registered ticket resellers, to Ticketblaster, to the Ticket Brokers Association of Australia — she has been speaking to everybody. If anybody knows the major events activity in this state, it is shadow minister Heidi Victoria. From musicals to plays to major events, she knows what is going on, and that is reflected by her consideration of this legislation when it was debated in the Legislative Assembly.

We have an amendment that we will propose either in the committee stage or we can circulate it now, Acting President Purcell. It is your decision. I am happy to do it in the committee stage, because there are not enough people here to warrant looking at it at the moment. With your permission, Acting President, we will do that in the committee stage.

In a nutshell, and I will talk to this more in the committee stage of the bill, what is our amendment designed to do? The reason for our amendment is as a result of consumers being disadvantaged if the scope of general admission, VIP or packaged tickets is not transparent. They may have preferred to have bought a different type of ticket had all the options been available when it came time to commit to making their purchase. The proposed amendment that we will circulate during the committee stage of this bill will make sure that transparency exists and therefore greater protection for our Victorian consumers.

Let me give an example of what I mean here. If only a small percentage of general admission tickets are

released and the event is selling well, the promoter currently has the ability to reallocate some of the unreleased seats in a higher capacity and package them with drink bottles, lanyards, vouchers to the bar and things like that. They can package it up. I could buy a ticket at this value and then others who buy the next tranche of tickets could suddenly find themselves caught in this dilemma of having to buy a fully packaged ticket with all these other extra add-ons.

Mr Finn — Lunch for \$3000 with a ticket thrown in.

Mr ONDARCHIE — Exactly. It is like buying a book and getting a billiard table thrown in. Remember the days of Frank Penhalluriack?

Mr Finn interjected.

Mr ONDARCHIE — That is the problem — that this could be packaged into a couple of what are deemed value-added components, but in fact they just escalate the core price of the ticket to a hugely inflated price.

There is precedent for this type of transparency reporting. It is not logistically difficult in our eyes. The AFL do this every year for the AFL Grand Final. You actually know what you are getting. There are so many general admission tickets, there are so many tickets for club supporters, there are so many tickets for corporates et cetera. You know what you are getting. It is not difficult.

I understand, having spoken to Ms Springle, that the Greens might have some amendments to take us through this as well. I am looking forward to prosecuting more of this case in the committee stage of the bill. I wish it a safe passage through this house, but it needs some adjustment to make it right for Victorian consumers.

Mr ELASMAR (Northern Metropolitan) (19:41) — I rise to speak on the Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017. While the internet has made it easy for people to purchase event tickets, a despicable practice of price gouging has emerged, and it is global. Greedy ticket scalpers have profited enormously over previous decades, and it is time for the Parliament to step in via legislation to crack down on this loathsome practice.

The purpose of the bill is to stamp out price gouging and give regular fans a fairer go. The legislation will allow cultural events, like theatre shows and concerts, to be declared and better protected, improving our capacity to bring more massive events to Victoria. New

authorised ticketing officers will be introduced. Along with Victoria Police officers, they will be able to fine scalpers who target popular events. The government will also have greater flexibility to address ticket scalping with the removal of the nine-month lead-in period for major events to be declared. All these measures will encourage more event organisers to seek stronger ticketing protections to guard against scalping.

The Labor government will continue to work with event organisers and organisations to ensure our enviable events calendar is fair and accessible to all Victorians. As always, we encourage everyone to only buy tickets from authorised sellers.

With the establishment of Visit Victoria, the bill will also repeal the Tourism Victoria Act 1992. The Labor government's Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017 will make it illegal to sell or advertise for resale tickets to any declared event for more than 10 per cent above face value. This will protect more fans from being ripped off and paying exorbitant amounts to ticket scalpers on the secondary market. These new measures will crack down on scalpers and help keep our major events fair and accessible for everyone.

There will also be changes to what constitutes ticket scalping and a simplification of the processes required for event organisers, making it more streamlined, less administratively burdensome and quicker to obtain. In the words of the Victorian Minister for Sport, the Honourable John Eren:

We're putting real fans first and stopping scalpers in their tracks — and that's exactly what this bill will do.

For too long now Victorians have been ripped off, desperate to see their favourite team or performance live. This bill provides proper protective mechanisms because it allows fairness to be applied for fans in the acquisition of tickets to their favourite events. I commend the bill to the house.

Debate adjourned on motion of Mr FINN (Western Metropolitan).

Debate adjourned until next day.

ADJOURNMENT

Ms MIKAKOS (Minister for Families and Children) — I move:

That the house do now adjourn.

Sunbury Road duplication

Mr FINN (Western Metropolitan) (19:47) — I wish to raise a matter for the attention of the Minister for Roads and Road Safety. It concerns related matters that I have raised on a few occasions now. It concerns the bottleneck that has now become a major bottleneck on Sunbury Road. In fact we have a couple of bottlenecks on Sunbury Road now between Bulla and the Tullamarine Freeway. The first one is at the junction with Oaklands Road, and the other one is on the road just outside Bulla, where traffic becomes one lane from two. At Oaklands Road traffic becomes one lane from three. This is causing major problems, given that this is a major artery these days, with people travelling either into the city or to the airport, given the enormous number of people who work at the airport. People who live in Sunbury and people who live in the Macedon Ranges use that road to get to work at the airport. It is causing an enormous amount of trouble.

The minister recently announced that there would be some safety works, as he described them, done on that road. I do not see how in any way these safety works are going to improve the traffic flow. In fact I am not sure what indeed these traffic works involve, but they are certainly not going to improve the traffic flow. From what I can see and from what has already occurred on the road, it is going to make it even more difficult to get down that road for the foreseeable future. So we have a major issue, one that affects thousands of people every day. Once again this morning the traffic was banked from the Tullamarine Freeway to the township of Bulla, which is a significant bank-up, and it is getting worse almost on a daily basis.

I would hope that the minister is aware of this problem, but if he is not, I am bringing it to his attention now because this is something that is, quite frankly, infuriating for a lot of the people who live in Sunbury and surrounds and for a lot of the people who live in the Macedon Ranges — people who use that road to get to the airport or to the freeway to get into town. I am asking the minister to find a way to eradicate those bottlenecks. I believe that this is a matter of great importance and great urgency. It does affect, as I say, thousands of people every day. I ask the minister to put his mind to coming up with a proper and permanent solution.

Northern Metropolitan Region small business

Mr ELASMAR (Northern Metropolitan) (19:50) — My adjournment matter tonight is for the Minister for Small Business, the Honourable Philip Dalidakis. In Northern Metropolitan Region we know that small

businesses are the heart and soul of so many local communities. The Andrews Labor government has been able to provide real and tangible assistance to small businesses by reducing the payroll tax rate, increasing the payroll tax threshold and introducing the Australian supplier payment code to ensure that small businesses in supply chains get paid at appropriate times and under fair terms and conditions. It is why we expanded the Victorian Small Business Commission and gave the commissioner increased legislative responsibilities.

We know this government backs small business. I know that business growth across Northern Metropolitan Region has been really significant. As much as big investment into our state is important, Victorians willing to put their hat in the ring and go into the small business world are vital, and we congratulate all those who are up for the challenge. The action I seek from the minister is to provide me with an update of business growth in the last year for Northern Metropolitan Region and let me know which industries received particularly good small business growth.

E-cigarettes

Ms PATTEN (Northern Metropolitan) (19:52) — My adjournment matter is for the Minister for Mental Health, Minister Foley, and the action I seek is an immediate end to the ban on nicotine for use in personal vaporisers. Currently we are the only country in the world that has such a ban. According to the Victorian government's own website, nicotine replacement therapy (NRT) works and is safe and is easy to buy. Currently NRT, as it is known, comes in the form of patches, chewing gum, lozenges, mouth spray and inhalers, but the juice that people use in their vaporisers is still illegal.

When I visited New Zealand recently I saw that there were far more vapers than there were tobacco smokers. On the first day in Auckland I did not see a single smoker but I saw a significant number of vapers. In fact while I was there the New Zealand Ministry of Health issued a position statement on vaporisers which included among its key messages that e-cigarettes could contribute to its Smokefree 2025 plan. The statement says:

There is no international evidence that e-cigarettes are undermining the long-term decline in cigarette smoking among adults and youth, and may in fact be contributing ...

to that decline.

Similarly, the Royal College of Physicians in London has offered a series of key recommendations. They include that e-cigarettes:

... are proving much more popular than NRT as a substitute and competitor for tobacco cigarettes.

E-cigarettes appear to be effective when used by smokers as an aid to quitting smoking.

...

... the hazard to health arising from long-term vapour inhalation from the e-cigarettes available today is unlikely to exceed 5 per cent of the harm from smoking tobacco.

That is less than 5 per cent of the harm from smoking tobacco.

There was a recent parliamentary inquiry report in the UK called *State of the Vaping Nation*. Again, it makes a significant number of public recommendations. Following the recommendation of the Royal College of Physicians, it also said that in the interests of public health it is important to promote the use of e-cigarettes, nicotine replacement therapy and other non-tobacco nicotine products as widely as possible as a substitute for smoking in the UK. It is a misnomer to suggest that vaping is anything but NRT.

I call on the minister to reverse the existing penalties for the possession of vaping nicotine, which can currently attract a fine exceeding \$15 000.

Goulburn Valley Health

Ms LOVELL (Northern Victoria) (19:55) — My adjournment matter is for the Minister for Health. The action I seek from the minister is to give a commitment to fund the employment of additional security guards at Goulburn Valley Health to help ensure the health and safety of staff and patients. Goulburn Valley Health in Shepparton is one of regional Victoria's busiest hospitals, servicing a population of 107 000 people, with the catchment expected to grow to 116 000 people by 2021. Seventy per cent of the hospital's primary catchment live in Greater Shepparton, with a significant proportion of patients also coming from the nearby Strathbogie, Moira and Campaspe shires.

Recently I was contacted by a constituent who has been an employee at Goulburn Valley Health for many years. The constituent reports that they have lost count of the amount of times they and other colleagues have been physically and verbally abused by violent patients. The constituent reports that only one security guard is on duty for the entire hospital during a shift, which is a situation that fails to ensure patient and employee safety.

The Goulburn Valley Health annual report for 2016–17 reports that the number of reported occupational violence incidents was 188 — a drop of 57 reported incidents from 2015–16. Although the drop is welcome, most concerning is the marked increase in the severity of reported occupational violence incidents. In the 2015–16 reporting year the percentage of occupational violence incidents that resulted in a staff injury, illness or condition was 4.89 per cent. In the 2016–17 year this figure increased to 7.98 per cent, which is a worrying trend that shows the increased severity of violent incidents at Goulburn Valley Health.

In July 2017 the Andrews Labor government announced funds to increase security across 44 hospital sites. However, my constituent reports that still only one security guard is on duty at any one time to take care of the entire hospital. This situation is completely unacceptable, and it is time the minister took action to protect the dedicated and professional healthcare providers at Goulburn Valley Health and their patients.

The action I seek from the minister is to give a commitment to fund the employment of additional security guards at Goulburn Valley Health to help ensure the health and safety of staff and patients.

Nillumbik public land

Mr LEANE (Eastern Metropolitan) (19:57) — My adjournment matter today is directed to Minister Wynne, the Minister for Planning. The action I seek is that Minister Wynne get his department to investigate the titles history of 17 parcels of land in Nillumbik that the local council want to flog off. In talking to the lower house members for Yan Yean and Eltham — who are championing that these particular parcels of land do not get flogged off — it is their understanding that some of these parcels of land were actually gifted to the people in that particular municipality for recreational open space. So we have parcels of land that were gifted and that the council has decided they would rather flog off than give the current and future people that live in that area the opportunity to keep enjoying this open space.

Compounding this concern is that on the council's financial future papers there are other bits of land that have been targeted for possible future sale, including the memorial precinct which is in the centre of Eltham and other land that is very much valued by the people that live in the area who enjoy this open space. There is a real concern about the way the mayor is approaching the sale of this land. There is a concern that he has quite a dodgy history when it comes to dealing with certain parcels of land.

An honourable member — Who are you talking about?

Mr LEANE — The mayor of that particular municipality — particularly when this is a person who got caught out lying under oath, a person who was connected with some particularly dodgy dealings with —

Mr Davis — On a point of order, Acting President, this member is using this chamber in a wrongful way. He is using it to impugn a particular mayor and doing so without substance and in a way that is quite reprehensible and does not allow appropriate response. This is simply unacceptable, and I think that the member ought to be stopped. I think he is trying to cover up for many of Labor's misdemeanours.

The ACTING PRESIDENT (Ms Patten) — Mr Leane, there is some concern that the accusations you might be making are not appropriate for an adjournment debate but may be more appropriate for a substantive motion, so please continue, but maybe without the accusations.

Mr LEANE — On the point of order, Acting President, my understanding is that that is relevant to a substantive motion if I am making an accusation against a sitting member of Parliament but that outside of that there is no standing order that relates to this particular issue. This particular individual has a right of reply if they choose.

The ACTING PRESIDENT (Ms Patten) — Mr Leane, given the time we took in considering that point of order, could you please just finish with the action that you are seeking.

Mr LEANE — I started with the action.

Wind energy

Mr PURCELL (Western Victoria) (20:02) — The adjournment matter I raise tonight is for the Minister for Planning. As this house knows, I am a strong supporter of the wind industry, and in south-west Victoria we have some of the most intensive wind farms in the state. However, the transmission lines that have been recently installed for the Salt Creek wind farm run from Salt Creek down through Mortlake to the power generation terminal in Terang. These are quite large transmission lines, something in the order of 22 metres in height and over a metre in diameter.

The lines themselves are not part of the planning permit. What this actually means is that the companies run these lines. The line from Salt Creek will run along

the same path as the line for the proposed Mortlake south wind farm, but they will not be using the same lines. So these are quite large and will be running down either side of the road. These are quite small roads, and they run into the power station at Terang. There are some places in western Victoria that will have four power stations. As well as that, the Salt Creek station is owned by the same company as the Dundonnell wind farm, and they will be running a separate line to the Terang station. So some roads in western Victoria could have four transmission lines running down them which will be crisscrossing on the way to Terang.

The issue is that it is too expensive to put these transmission lines into the major line that runs to Alcoa in Portland, and it is cheaper to take them to the plant at Terang. I fear that these transmission lines will be across many of those roads and there will be so many lines it will be like Jurassic Park. I therefore urge the minister to step in and assist in finding a solution that would allow these wind farms to cooperate and use the same line, because it is not capacity of the line, it is actually just the ownership of the line that is the issue.

Fussell–Victoria streets, Ballarat East

Mr MORRIS (Western Victoria) (20:04) — My adjournment matter this evening is for the Minister for Roads and Road Safety. It relates to a change that has happened just very, very recently in Ballarat East at the corner of Fussell and Victoria streets. The corner of Fussell and Victoria streets forms a significant intersection in Ballarat, and it is also very close to a number of primary schools, a secondary college and also a kindergarten. You have got the Woodmans Hill campus, you have got St Francis Xavier Primary School, you have got Caledonian Primary School and you have also got the Brown Hill Kindergarten within a very short distance, so as you can imagine at the before-school run and the after-school pick-up time it is a rather busy intersection.

In VicRoads' wisdom they have seen fit to change the timing of the traffic lights at this particular intersection so that only two cars at a time pass through the intersection at Fussell Street and across Victoria Street. What I can only assume is that this is the continuation of the war that VicRoads is having with the people of Ballarat, because we have seen the disastrous plan —

Mr Davis — All driven by Luke Donnellan.

Mr MORRIS — All driven by the minister, Luke Donnellan — indeed. We have seen the disastrous plan for Sturt Street, which due to overwhelming community opposition was dumped by Labor at the last

minute when they became concerned about their electoral prospects. Now we have got the war in Mair Street, where the government wants to slash 170 car parks and decimate the businesses. And now we have seen this absurd change to the timing of the lights at Fussell and Victoria streets.

The people of Ballarat just want VicRoads to actually listen to the needs of the community rather than forcing upon them their own will. The action I seek from the minister with regard to this issue is very simple, very clear. The action that I seek is that the minister return the timing of the traffic lights at Fussell and Victoria streets to what it was before this change.

North-east rail line

Mr DAVIS (Southern Metropolitan) (20:07) — My adjournment matter tonight is for the Minister for Public Transport in the other place. It concerns the north-east rail line. It is a very important line to Albury-Wodonga that carries significant traffic but is a very poor line — a line that is run by the federal rail corporation, which has responsibility for that track. Nonetheless, that line has had a terrible record with its performance over the recent two or three years. Even as recently as the last few days there have been massive cancellations. In some cases as many as 20 per cent and even more trains have run either late or not at all, and the Minister for Public Transport needs to take a measure of responsibility for this.

The coalition has made announcements in recent days about a \$633 million package to put new long-haul VLocity trains — a reformed train that will suit longer hauls — on that line and on other lines around the state to ensure that country Victorians have the support and the transport options that they well deserve. But the minister of course has been using the excuse of a poor line as a reason not to go forward and put on good quality trains.

I accept that the quality of the track is not up to scratch. It is a class 3 track and there does need to be work done on that track, and the coalition strongly supports that work. I know that at a meeting this week in the north-east the minister, Jacinta Allan, and others, including Assembly members Steph Ryan and Tim McCurdy, and a number of local councils were present looking at these issues. But I am aware that the state government does have in its possession analysis of the quality of the track and the needs of the track for full upgrade to a standard that we would all be proud of and that would enable the best quality service on that track.

The action I am seeking from the minister is that she release publicly all of those analyses so that we can all see precisely what is going on. She says that some of this analysis has been done in conjunction with the feds, but I am also aware that analysis has been done quite independently of the federal government. That analysis should be released urgently to the Victorian community because we need to see what information the minister is in possession of and to learn when she came into possession of that information showing the need for an upgrade.

You cannot use the issues of the track as a reason not to upgrade the rolling stock. You obviously need to do both, but you cannot use it as a blanket excuse to throw your hands up in the air and do nothing for the people of the north-east.

Land 400 project

Mr RAMSAY (Western Victoria) (20:10) — My adjournment matter is for the Minister for Industry and Employment, the Honourable Ben Carroll, and the action I seek from the minister is that he do everything possible to help support the BAE Systems Australia tender for the \$5 billion Land 400 project. I know since he took on the portfolio the minister has been a strong advocate for Victoria to be the manufacturing hub for the Land 400 project, but he cannot do it alone. I say this because the Andrews government has been asleep at the wheel while our federal Victorian Liberal MPs have been lobbying furiously over the last three years for the BAE tender to be successful, given very strong competition from the Queensland-based Rheinmetall tender.

The Andrews government dithered over the establishment of the Geelong defence procurement office when it won government. It sacked the CEO on its first day and dumped Geelong in favour of Fishermans Bend as a site for the assembly plant, and local Labor MPs have shown no interest in the project at all. It is only this year that the Andrews government has woken from its defence slumber, and it is now putting out self-congratulatory full-page ads in the metropolitan papers on the importance of Victoria winning this contract. It is true that it is important.

A visit to Marand Precision Engineering last week — and I thank Alex Lyon, business development manager, for his time and patience in briefing me on the historical and current business activity of Marand — demonstrated to me that we have a company primed to provide the work skills and tooling to make the undercarriage and turrets of the 225 armoured all-terrain vehicles. Marand is currently making vertical

tails for the F35 jet fighter. It has leased the Geelong Ford engine plant and is currently employing 40 workers to build those vertical tails.

If BAE is successful, apart from the 500 jobs and the economic value that the Fishermans Bend region will receive from this tender, Geelong will also gain benefit by having Marand receiving approximately \$100 million of work associated with the Land 400 project. This will provide an extra 60 jobs and trickle supply chain benefits to other companies.

I understand that a decision by the Australian government through recommendations from the National Security Committee on awarding of the tender is imminent, so it is extremely vital that the minister and the Andrews government do everything in their power to put Victoria in pole position to win this tender.

Morwell power station site

Ms BATH (Eastern Victoria) (20:13) — My adjournment matter this evening is for the Minister for Planning, the Honourable Richard Wynne. The action I seek from the minister is that he remove the heritage listing on the Morwell power station and former Energy Brix site, including all of the area around the briquette factory. The site is situated at 412 Commercial Road, Morwell, and it poses a liability to the Latrobe Valley industrial tourism route. Given the condition of the buildings on the site, the site is deemed unsuitable for any tourism project and the buildings need to be demolished.

In reality the old Morwell power station is a huge decaying giant. It is encased in corrugated asbestos sheeting. At the moment this is relatively safe, but it houses large-scale rusting equipment on the inside that has asbestos throughout. It is an ageing giant, and in one way it is a test case for the Hazelwood power station, which is 10 times its size. It sits right beside the briquette factory, and this briquette factory is of most interest to Coal Energy Australia, which has shown substantial interest in this site and wishes to make an offer to Energy Brix to acquire the site for a new project.

The Energy Brix remediation general manager, Barry Dungey, very kindly took me and the shadow minister, David Southwick, through the building recently and told us that to demolish the old power station would take somewhere in the vicinity of \$26 million to \$32 million, including \$5 million of reclaimed material, whilst if it was repatriated, as in just decontaminated, it would be upwards of \$80 million, and that is even

before turning it into a heritage venue. I respect and honour the fact that there are people who have worked there for many years and spent their life in that factory producing power for our state. I asked Barry what he thought their opinion was, because he has spoken to a number of them, and he said the ones he had spoken to also feel that it is time for it to be removed.

In terms of the new technology, Coal Energy Australia proposes to integrate the existing briquette factory and use coal with new pyrolysis technology to produce a range of carbon products on a commercial basis, including briquettes, semi-coke and low-volatile char, but importantly activated granulated carbon, which can be used in medical and chemical processes and water treatment purifications. This has great potential for new jobs. There are 80 jobs in construction and potentially 40 to 50 jobs ongoing. It is a new way to revitalise and have a positive outcome for the Latrobe Valley, which so definitely deserves it. So I ask the minister to remove the heritage listing on the power station and the site in general so that positive development can flow through into the future.

Port Phillip homelessness

Ms CROZIER (Southern Metropolitan) (20:16) — My adjournment matter this evening is to the Minister for Local Government, the Honourable Marlene Kairouz in the other place. It relates to rough sleeping in some of our bayside areas. I am referring to the local council area of the City of Port Phillip in particular. I know that a number of homeless people, through no fault of their own, find themselves homeless and may be rough sleeping or, in unfortunate and very tragic circumstances, spending too much time on the streets because of family violence, mental health or other issues that may have arisen in their lives. In fact I was out in Lilydale last week with the member for Evelyn in the Assembly, the Honourable Christine Fyffe, and the Liberal candidate for Evelyn in the upcoming election, Bridget Vallence, and visited Stable One, which is dealing with homelessness out in that area. They have got a fantastic project that is taking in homeless people for the winter months, and I would urge anyone out in that area to support that project.

But really what I am referring to is an issue that has arisen in the City of Port Phillip, and it relates to a number of homeless people who are setting up camp on the beach. It has come to light that Elwood resident Barbara Strachan raised the issue of homelessness this morning in the media after a number of people were camping in gardens and on beaches in the area. According to a report in the press, they were offered emergency boarding housing in other areas such as

Dandenong, Sunshine, Frankston and St Albans but did not want to leave the area of Elwood. As one of them who has set up camp is reported to have said:

'I laughed my head off and said you've got to be joking ...

'I don't want to live in those areas, I'm not from there — I'm from Elwood.

I want to stay where everybody I know is. They haven't offered us anything decent'.

I can understand this person's connection to this area, but they have set up an extensive camp, if you like, in their black Ford SUV, which is fitted out with a mattress, two camping chairs and a tarp awning that protects their few belongings, according to this report. Another person who raised concerns said that he was getting married soon on the Elwood pier and had paid \$400 for a permit. Now he learns that squatters will most likely be camped out on the site, potentially disrupting and ruining his special day.

The action I seek is for the minister to enforce the local council by-laws or, if they are inadequate, ensure that they are strengthened to prevent permanent campers or rough sleepers from disrupting the local amenity and the residents within these areas.

Responses

Ms MIKAKOS (Minister for Families and Children) (20:19) — This evening I have received adjournment matters from Mr Finn directed to the Minister for Roads and Road Safety, from Mr Elasmir directed to the Minister for Small Business, from Ms Patten directed to the Minister for Mental Health, from Ms Lovell directed to the Minister for Health, from Mr Leane directed to the Minister for Planning, from Mr Purcell directed to the Minister for Planning, from Mr Morris directed to the Minister for Roads and Road Safety, from Mr Davis directed to the Minister for Public Transport, from Mr Ramsay directed to the Minister for Industry and Employment, from Ms Bath directed to the Minister for Planning and from Ms Crozier directed to the Minister for Local Government. I will refer all those matters to the appropriate ministers for a response.

I also have 15 written responses to adjournment debate matters that will be distributed.

The PRESIDENT — On that basis the house stands adjourned.

House adjourned 8.20 p.m.

