

PROOF

Hansard

LEGISLATIVE COUNCIL

60th Parliament

Tuesday 27 May 2025

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Tuesday 27 May 2025

The PRESIDENT (Shaun Leane) took the chair at 12:04 pm, read the prayer and made an acknowledgement of country.

The PRESIDENT: Given today's proceedings, I acknowledge Aunty Annette and the Nunkeri Tiddas dancers on a great way to start the day. I thank the sun for coming out as well.

I acknowledge some important people in our gallery today. We have the Speaker from the ACT Legislative Assembly, the Honourable Mark Parton MLA, and also the clerk of the ACT Parliament Mr Tom Duncan. We also have some important staff members from the South Australian Parliament in the gallery today.

Bills

Energy and Land Legislation Amendment (Energy Safety) Bill 2025

Regulatory Legislation Amendment (Reform) Bill 2025

Victorian Energy Efficiency Target Amendment (Energy Upgrades for the Future) Bill 2025

Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025

Royal assent

The PRESIDENT (12:07): I have a message from the Lieutenant-Governor, dated 20 May:

The Lieutenant-Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the under-mentioned Acts of the present Session presented to him by the Clerk of the Parliaments:

13/2025 Energy and Land Legislation Amendment (Energy Safety) Act 2025

14/2025 Regulatory Legislation Amendment (Reform) Act 2025

15/2025 Victorian Energy Efficiency Target Amendment (Energy Upgrades for the Future) Act 2025

I have another message from the Lieutenant-Governor, dated 27 May:

The Lieutenant-Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the under-mentioned Acts of the present Session presented to him by the Clerk of the Legislative Council:

16/2025 Fire Services Property Amendment (Emergency Services and Volunteers Fund) Act 2025

Gambling Legislation Amendment Bill 2025

Introduction and first reading

The PRESIDENT (12:07): I have also received a message from the Legislative Assembly regarding the Gambling Legislation Amendment Bill 2025:

The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to amend the **Gambling Regulation Act 2003** and the **Casino Control Act 1991** and for other purposes.'

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:08): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Enver ERDOGAN: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:08): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

Opening paragraphs

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, (Charter), I make this Statement of Compatibility with respect to the Gambling Legislation Amendment Bill 2025.

In my opinion, the Gambling Legislation Amendment Bill 2025, as introduced to the Legislative Council, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Human Rights Issues

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria.

Clause 71 of the Bill amends the requirements that apply in relation to voluntary exclusion orders at the casino. An exclusion order prohibits the person from entering or remaining on casino premises. Under the amendments, it is an offence if a casino operator does not issue an exclusion order to a person upon voluntary application by the person. This is a change from the current provision, which affords the casino operator discretion in deciding whether to issue an exclusion order upon request.

Clause 71 also reduces the regulatory burden on a person seeking a voluntary exclusion order by providing that an application no longer needs to be witnessed.

The purpose of clause 71 is to strengthen the regulatory framework for voluntary exclusion orders. While the government is not aware of any situation in which the casino operator has or would refuse to issue an exclusion order upon request, this change will close a potential loophole. Self-exclusion is an important mechanism to address gambling harm.

Clause 71 contains minor amendments to the existing exclusion framework and does not limit the right to move freely within Victoria. If it does limit the right to move freely within Victoria, any limitation is reasonable in accordance with section 7 of the Charter, because it only applies in circumstances where a person has voluntarily requested to be issued with an exclusion order.

Hon Enver Erdogan MP
Minister for Casino, Gaming and Liquor Regulation
Minister for Corrections
Minister for Youth Justice

Second reading

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:08): I move:

That the bill be now read a second time.

Ordered that second-reading speech be incorporated into *Hansard*:

The Bill I am introducing amends the *Gambling Regulation Act 2003* and the *Casino Control Act 1991* to improve the regulatory framework for gambling in Victoria.

The Bill makes important changes to the legislative framework for the gaming machine monitoring licence and public lottery licences to provide flexibility for the government in future licensing processes to yield the best outcomes for the state.

The Bill also makes provision for the removal of cheques from the Australian financial system and will reduce the barriers to voluntary exclusion at the Melbourne casino.

The Bill will also make some minor and technical amendments to ensure Victoria's gambling legislation is clear and consistent.

I now turn to the provisions of the Bill before the House.

The Bill makes changes to the monitoring licensing framework to provide options that will maximise the state's ability to extract value for Victorians from monitoring services after the expiry of the current licence in 2027.

The Bill amends the requirements for the term of the monitoring licence to replace the current fixed term of 15 years with provisions that enable the licence term to be specified in the licence. This will enable the government to determine the most appropriate licence term at a point in time, having regard to best available evidence and an understanding of the value to the State.

The Bill also gives the government the power to require a premium payment as consideration for the monitoring licence.

The Bill will also enable the monitoring licensee to be directed to provide other regulatory compliance systems and mechanisms, such as anti-money laundering alert systems to assist venue operators to comply with their regulatory obligations.

In addition, the Bill makes other administrative and technical amendments to improve the process for directing a monitoring licensee to provide pre-commitment and other systems and to clarify the operation of the ownership restrictions to reduce uncertainty ahead of the licensing process.

The Bill also makes changes to the public lottery licensing framework ahead of the expiry of the current public lottery licence in 2028.

The Bill will give the state the power to issue a long-term extension of a public lottery licence and will modernise the licensing process to make it consistent with the licensing processes for the other major gambling licences.

These changes will maximise the state's ability to extract value for Victorians from public lotteries after the expiry of the licence in 2028.

To complement the proposed changes to the monitoring licence and public lottery licence framework, the Bill includes amendments to clarify the functions of the independent Review Panel that reviews and reports on the licensing processes undertaken by government. The changes will align the Panel's process with the modernised gambling licensing processes and simplify the process for the Minister to refer matters to the Panel for review.

The Bill includes amendments to enable the continued operation of pre-commitment at the Melbourne casino in periods of downtime where the casino systems are unable to communicate with the statewide pre-commitment system. The amendments will enable the casino operator to securely keep a temporary database of pre-commitment information, including players' last known limits, to ensure the effective operation of the pre-commitment functions unless communication with the statewide system is re-established.

The Bill also includes amendments to address the proposed phasing out of the use of cheques from the Australian financial system. The Bill amends payment of winnings provisions for gaming venue operators, casino operators and bingo centre operators to ensure payment by electronic funds transfer is always a permitted alternative to payment by cheque.

The Bill will reduce barriers to voluntary exclusion at the Melbourne casino by ensuring the Melbourne casino operator is required to issue an exclusion order on request by a person and removing unnecessary administrative requirements for an application to be signed by a person who is authorised to witness a statutory declaration.

In addition to the substantive amendments to improve the operation of the gambling legislative framework, the Bill will amend the *Gambling Regulation Act 2003* and the *Casino Control Act 1991* to remove gender references.

I commend the Bill to the house.

Evan MULHOLLAND (Northern Metropolitan) (12:09): I move:

That debate on this bill be adjourned until later this day.

Motion agreed to and debate adjourned until later this day.

Members

Minister for Mental Health

Absence

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:09): I wish to advise the house that for the purposes of question time this week I will answer questions for the portfolios of mental health, ageing and multicultural affairs in Minister Stitt's absence.

Questions without notice and ministers statements

Child protection

Georgie CROZIER (Southern Metropolitan) (12:09): (917) My question is to the Minister for Children. Minister, how many children in state care have been charged by police for machete-related incidents?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:10): I thank Ms Crozier for her question and note that in such an important week, while the Shadow Treasurer is still on his feet in fact – I assume he is as he was as we walked in here – we go back down the hole of this line of questioning, which really neglects to acknowledge that children in state care are in a home, and they are in a home because they cannot safely live usually with their parents or at times with others, and that when we are providing residential care for children in the child protection system it is a home. That is what we are providing.

In relation to the specifics of Ms Crozier's question, I do not have an answer here to provide to Ms Crozier. Ms Crozier can ask me a number of questions that go to the welfare and the provision of secure, warm homes for children who cannot otherwise live safely somewhere else, but Ms Crozier continues to want to play politics with children in care, and it really is appalling.

Ann-Marie Hermans: On a point of order, President, the attack on my colleague is completely ill founded, on the basis that this is an incredibly important issue and we do have the right to question them on children that are in care in this state.

The PRESIDENT: That is not a point of order.

Lizzie Blandthorn: Further to the point of order, President, I would also note that Ms Crozier has now asked this question four times of me in the chamber. Every time we endeavour to provide an answer to Ms Crozier that speaks to my responsibilities in relation to children in care, the vulnerability of those children and the welfare of those children, Ms Crozier continues to want to take this down an inappropriate path.

The PRESIDENT: That is not a point of order other than if you are asking if the same question has been asked within the past six months.

Lizzie Blandthorn interjected.

The PRESIDENT: No.

Georgie CROZIER (Southern Metropolitan) (12:12): I suggest the minister go back and see what I have asked, but it is a very important issue around the children under your care. Surely Victorians have a right to understand what is actually happening under your watch. So I ask again: why are you failing not only these vulnerable children in state care but the thousands of innocent Victorians who are victims of crimes, some of which are left with lifelong implications following these crimes? Minister, why are you repeatedly refusing to answer the questions that Victorians deserve to understand?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:13): I am more than happy to talk to this chamber and to talk at large about the things that our government is doing to improve residential care. Ms Crozier asked about what is happening under our government in residential care in the child protection system, and the biggest single investment in out-of-home care has happened under the watch of this government. We are ensuring that every single place in residential care is a therapeutic place. That means services wrapped around vulnerable children to ensure that vulnerable children get the supports that they need when they cannot live safely at home. The fact that a child is in residential care or in any part of our out-of-home care system does not equal that that child is a criminal, as those opposite would like to characterise vulnerable children.

Members interjecting.

Lizzie BLANDTHORN: No, those opposite are characterising vulnerable children as criminals. It is offensive to those children, and it is offensive to our community service partners who work with those children.

Inclusive education

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:14): (918) My question is to the Minister for Disability. Minister, neurodivergent students deserve classrooms that are inclusive and responsive to their needs, yet teacher training on neurodivergence remains optional. While some neurodivergent-inclusive learning content is being added to master of education programs, this is not enough. School zoning often forces neurodivergent students into environments that do not meet their needs. Minister, will you commit to system-wide neurodivergent training for all teachers and school staff, not just new graduates, to ensure classrooms are inclusive, informed and neuro-affirming?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:15): I thank Ms Gray-Barberio for her question. The question that she raises is a matter for the Minister for Education. I am more than happy to forward her question to the Minister for Education for an answer, but what I would say as Minister for Disability and as a minister working across the country on the implementation of the national disability insurance scheme and its review, which is currently underway, and of course taking into account the recommendations of the disability royal commission, is that there is much that we can continue to do to support neurodivergent children. Indeed Victoria leads the way with our plan for neurodivergent people more broadly, including students, and certainly our autism plan and our disability plan both speak to that. But of course there is always more that we can do to better support neurodivergent children and young people in our classrooms. That is something that we do think about and work towards continually with our community service partners. But the specifics of your question, insofar as they are the responsibility of the Minister for Education, I will happily forward to him.

The PRESIDENT: Ms Gray-Barberio, are you happy for the question to be put to the Minister for Education under the standing orders, so you get a written response?

Anasina Gray-Barberio: Yes, that is fine.

The PRESIDENT: For this supplementary, if you could address it to the Minister for Education, that would be good.

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:16): Thank you to the minister for passing that along to the Minister for Education. I appreciate you acknowledging there is always room for improvement for our students with disability. My question to the Minister for Education is: will he commit to school zoning exemptions for children with disabilities and their families to ensure access to schools that meet their needs, as some school zoning policies do limit access to schools for neurodivergent students?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:17): I thank Ms Gray-Barberio for the question. I will also refer that to the Minister for Education.

Ministers statements: TAFE sector

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:17): This is another budget that boosts free TAFE. It provides an additional \$459 million to ensure Victorians can access the training they need for reliable jobs that lead to rewarding careers. This investment brings the Victorian government's total investment to over \$16 billion in new and base funding in TAFE and the skills system. We have rebuilt our TAFEs and restored confidence in our VET system, because only with our public TAFE at the heart of the system can we deliver the pipeline

of skilled workers that our economy needs. We know new federal Liberal leader Sussan Ley's view of free TAFE. I quote:

... if you don't pay for something, you don't value it.

Voters delivered the message loud and clear: we value free TAFE, and free TAFE is here to stay. This budget delivers \$171 million to boost free TAFE and training services; \$121 million to support TAFE students to complete their studies and access job opportunities; \$44 million to help more students at Learn Locals and TAFEs access literacy and numeracy programs, programs that we know improve completion rates for other TAFE qualifications; and \$23 million to strengthen the apprenticeship system, including continuing to deliver our commitments to the apprenticeships taskforce, just to name a few of the measures included in this budget.

Those opposite should learn the lesson from their federal counterparts that the public does indeed value free TAFE. Already over 200,000 Victorians have enrolled in free TAFE and saved, on average, \$3000 per course. Only Labor can be trusted to invest in training to deliver rewarding careers for all Victorians, and Australians know that.

Housing affordability

David DAVIS (Southern Metropolitan) (12:19): (919) My question is to the Treasurer. Treasurer, Labor's tax take has surged upwards in its almost 11 years in government. In fact the land transfer duty take has increased from \$4.9 billion in 2014–15 to an estimated \$9.6 billion in 2025–26, up 95 per cent. Treasurer, why have you erected a massive barrier that blocks young families and potential home owners from purchasing their first home?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:20): I thank Mr Davis for his question and the opportunity to put on record that it is our government's policies in housing, planning and tax settings that have helped us lead the nation in first home buyers. There have been over 38,000 first home buyers in Victoria in the last year. That is 10,000 more than in New South Wales and 15,000 more than in Queensland. There are a number of initiatives that we have invested in in recent years to support people to enter the housing market and produce more supply. Supply is in fact the best way for people to access housing. If there are no houses to buy, it does not matter what incentives there are available, so getting the balance right is what we are committed to doing.

The Victorian Homebuyer Fund has worked so well that it has actually been rolled out across the country now. We will always put housing as one of our top priorities, building housing where people want to live. That is what our planning measures are about, ensuring that townhouses can be built around transport hubs, close to services, hospitals, education and jobs. This is what people are after, and we will continue to build on our track record of having the most first home buyers in the country, the most new housing approvals and completions –

Members interjecting.

The PRESIDENT: Order! Treasurer to continue.

Jaclyn SYMES: I do not think I will be taking lectures from those opposite in relation to housing, when all you do is block new housing and continue to ensure that there are no options for first home buyers.

David DAVIS (Southern Metropolitan) (12:22): Treasurer, by 30 June the Labor government will have collected more than \$79 billion from Victorian home owners and failed to properly adjust the land tax transfer scales over your almost 11 years in government. Isn't it a fact, Treasurer, that you and your predecessors through that long decade of Labor have torn the dream of home ownership from young Victorians via your high taxes – and that includes the massive hikes in stamp duty?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:22): Mr Davis, I went through, in my answer to your substantive, the stats. The stats are: we are leading the nation in first home buyers by thousands. We are leading the nation in dwellings approved. Last month alone in Victoria 4147 dwellings were approved. That is more than Western Australia and South Australia combined. It brings us to an annual approvals rate of 56,195, clearly the highest in the nation. Mr Davis, I will be more than happy to send you all of these stats, because they do not correlate with your narrative.

Medically supervised injecting facilities

Rachel PAYNE (South-Eastern Metropolitan) (12:23): (920) My question is for the Minister for Mental Health, so I will direct it to Minister Symes. While the 2023 Ryan review recognised the life-saving work of the North Richmond medically supervised injecting room, it also identified issues with neighbourhood amenities, particularly in relation to people gathering around the facility. The government's response included establishing the North Richmond precinct revitalisation interdepartmental committee to provide enhanced outreach services from September 2023 to address community concerns and support the community and MSIR clients. Can the minister provide an update on these initiatives and on any work to improve the facility's surroundings to proactively and effectively eliminate the congregation of clients as per the review's recommendation?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:24): I thank Ms Payne for her question. The issues that you raise I know are a priority for Minister Stitt, and apologies that she is not here to respond herself. I am sure she would be delighted to, but I will make sure that her office gets cracking on your answer.

Rachel PAYNE (South-Eastern Metropolitan) (12:24): Thank you to the minister for referring that on. By way of supplementary, can the minister update the house on how local residents and businesses are being engaged to ensure these amenity improvements are meeting community needs?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:25): I will pass Ms Payne's supplementary question on to the minister.

Ministers statements: Langi Kal Kal Prison

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:25): Our corrections system is focused on keeping Victorians safe now and into the future. An important part of that work is helping prepare people in custody for successful reintegration back into the community, and we know that community reintegration and low recidivism hinge on giving people the opportunity to gain stable employment upon their release. Prisons across our state offer a range of employment-focused programs, and I recently had the pleasure of visiting Langi Kal Kal Prison in the electorate of Ripon, ably represented by Martha Haylett in the other place, to see one of these programs in action. The 'happy hens' program commenced in 2014 with 800 free-range hens using one fixed roosting house. With new roosting houses being built in the past year by prisoners at Langi Kal Kal, the operation has grown significantly to 4500 hens. They are expecting to produce 1.4 million eggs –

Members interjecting.

Katherine Copsey: On a point of order, President, and apologies for interrupting the minister, I am literally sitting next to him, and I am actually interested in this minister's statement, so I wonder if he could be heard in silence.

The PRESIDENT: Yes. I uphold the point of order, and maybe some of the minister's colleagues can give him a chop out in this way as well.

Enver ERDOGAN: As I was saying, they are expecting to produce 1.4 million eggs this year. This will support the 30 men who are part of the rotational roster that do this work, which includes caring

for the hens, maintaining their housing and fencing, and completing any administrative work that is required. This has become a sustainable enterprise that helps the prison system have money while providing food for people in custody, and all the profits are reinvested back into prison industries.

This program would not be possible without the active support of the general manager Andy Langley and the hardworking staff at Langi Kal Kal. I want to thank them for the work they do 365 days a year. Corrections Victoria have already been recognised internationally for their effective inside to outside jobs program that helps people turn their lives around, and we are leading the nation, with 90 per cent of those in custody engaged in work. By supporting people in prison to gain the skills to lead productive lives, we are doing our bit to keep all Victorians safe.

Emergency Services and Volunteers Fund

Bev McARTHUR (Western Victoria) (12:27): (921) My question is to the Treasurer. Treasurer, I refer to the Emergency Services and Volunteers Fund levy and to the issue of partial payment by a struggling ratepayer and whether this is allocated proportionally to both council rates and the levy as per the fire services property levy precedent. The fact is your new tax will cost local councils serious money. They already bear significant time and effort in collection as well as the public odium for a state-imposed tax that does not benefit them. It is inevitable that the overall rates arrears will increase, given the scale of the massive new tax. Treasurer, will any payment be allocated proportionally, and if so, how will the government compensate blameless councils for the predictable increase in rates arrears?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:28): Thank you, Mrs McArthur, although there are a few concerns I have with the way you have characterised your question. Of course we went through a lot of these issues in the committee stage of the bill, and the intention and purpose of the Emergency Services and Volunteers Fund could not be clearer. It is about ensuring that our emergency services volunteers and personnel are supported with a sustainable funding model now and into the future to respond to the continued frequency and devastation that we are seeing as a result of climate change and of natural disasters.

When it comes to the implementation of the changes, as I have previously outlined, we will be working with councils, we are working with the Municipal Association of Victoria and we have provided funding in relation to any of the administrative consequences. These are making sure that councils can be well equipped to not only deal with any changes in what is an existing practice – obviously this is just building on what has existed for some time – but there will also be clear information about the exemptions. Remember, we have gone through in great detail that if you are a volunteer with SES or CFA, you are exempted from having to pay the Emergency Services and Volunteers Fund.

There are also, as we have also put, a number of considerations for those that are impacted by drought. So there is a lot of information going out; I accept that. There is a lot of misinformation. We are making sure all of the information is getting out there. I would be happy to give particularly electorate officers some information in relation to this. The number one query that is coming through the phones in my office is whether you are exempt or not if you are a volunteer. Making sure that everybody knows that that is part of the changes that we have made is something that I think is very important.

Mrs McArthur, ongoing conversations with councils is something that I committed to. It is funded, and implementation issues will be worked out as the changes come into place.

Bev McARTHUR (Western Victoria) (12:31): The amount you allocated for administration worked out to about \$5000 per council. That will not even make the slightest bit of difference. There are questions about whether the government's implementation package for the tax will fully cover councils' debt recovery costs given the precedent of councils bearing these expenses under the more modest fire services property levy. The Yarriambiack shire already has to pursue 8 per cent of properties for rates arrears via debt collection or forced sale of properties. I therefore ask: how much

have you set aside to cover councils' expenses for doing this unpopular, unpleasant and in some cases heartbreaking recovery work for you?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:31): Mrs McArthur, I have already said that \$4 million has been allocated as an initial amount in relation to work with MAV councils. Councils already receive money from the SRO for administration of the existing fire services property levy – that is around \$75,000 already. The \$4 million is in addition to that. You talk about Yarriambiack council, right? So in terms of the vast majority of residents in Yarriambiack who own their property and would receive an updated notice in relation to the Emergency Services and Volunteers Fund, it is about \$1.25 a week for most of the residential houses in Yarriambiack. That is what is going to be asked of home owners. It is an investment in ensuring that emergency services can respond to that community – *(Time expired)*

Economy

David DAVIS (Southern Metropolitan) (12:33): (922) My question is to the Treasurer. Treasurer, the ratings agency Moody's has said in recent days that Victoria already has the lowest credit rating of any state and could face another downgrade to AA if debt reaches 240 per cent of operating revenue. Before the 2025–26 budget was handed down, Moody's said Victoria:

... is forecasting debt in 2027 to top 213 per cent of operating revenue, up from 70 per cent six years ago.

Moody's said Victoria needed to focus on stabilising the debt burden. Moody's comments signalled the grave risk of a credit downgrade unless the Allan Labor government heeds the warnings. Treasurer, therefore I ask: will you assure the house and the Victorian community that Victoria will not have its credit rating downgraded further by Moody's?

The PRESIDENT: I am not too sure how the Treasurer answers a question that is in the remit of a third party.

David Davis: On a point of order, President, it is a mark on her performance. If she is prepared to indicate she will change her performance –

The PRESIDENT: That has not alleviated my concern about the minister assuring what a third party will do. It is not in her remit.

Richard Welch: On the point of order, President, Mr Davis was referring to the criteria that was set out by Standard & Poor's and the criteria by which a credit rating would be avoided, which is debt stabilisation. There was a clear list of factual elements to that criteria the Treasurer will need to meet.

The PRESIDENT: If I could respond to Mr Welch's further point of order, I still have the concern of asking a minister what an independent third body will or will not do when it is not within her remit.

David Davis: Treasurers in this Parliament have been asked for time immemorial about the performance of the state and credit rating agencies. The Kirner government was asked. The Cain government was asked. Other governments have been asked about the credit rating and whether the state will guarantee the position and not allow a credit downgrading by changing the budget parameters. It is the budget parameters that are within the Treasurer's control.

Members interjecting.

The PRESIDENT: I will come to Ms Terpstra next. Mr Davis, I am not questioning your right to ask the Treasurer a question in any format you want to ask it. I am just airing a concern that you have asked her to give an assurance that an independent third body will do something or not do something. That is an issue that I am trying to work through. I am happy if you want to rephrase it.

David Davis: Moody's said Victoria needed to be focused on stabilising the debt burden. That is directly within the Treasurer's control.

The PRESIDENT: Mr Davis, you are debating.

Sonja Terpstra: President, my point of order is that Mr Davis is debating the question and that there is in fact no point of order. He has asked his question, and he is abusing the standing orders by continuing to say that he has a point of order when he does not. He is just using it simply to debate the question further.

The PRESIDENT: I was just externalising my concerns. I am happy to let the Treasurer answer it how she sees fit.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:37): Mr Davis, I reject the premise of your question and the fact that you continually ask me to intervene in the affairs of independent persons whether they are here or even across the board. What I will point to, which I think you are trying to get to, is fiscal responsibility and discipline. Having a strategy that we have set out and doing what we said we would do is of course important to ratings agencies.

We have acquitted step 1, creating jobs, reducing unemployment and restoring economic growth. In relation to step 2, we have acquitted that because we returned to an operating cash surplus. With this budget we acquitted step 3, which was ensuring that we had an operating surplus. That has been achieved. This budget also shows that we are on track to acquit step 4 and step 5, which are about stabilising and reducing debt as a proportion of the economy. When we look at what the ratings agencies have said – I will be visiting them very soon – you are cherrypicking some statements to suit your own purposes. What I will point to is that the major credit rating agencies continue to project a stable outlook for Victoria's credit rating. Those that want to talk down the state will choose to do so. That is a matter for you. I will continue to talk up the Victorian economy. Moody's say:

The government's cost-saving measures and continued re-profiling of capital expenditure sustain Victoria's track record of strong fiscal management and governance.

I will be talking to them about making sure that in terms of what they are reflecting I can talk through that with them. They have obviously got confidence in making that statement. I look forward to continuing that conversation. S&P in their post-budget report comment:

We view Victoria's commitment to controlling operating costs, delivering promised savings, and slowing growth in debt as important for maintaining ...

our credit rating. The fiscal strategy is sound. We are achieving the steps that we said we would, and that is what the credit rating agencies are looking for.

David DAVIS (Southern Metropolitan) (12:40): I note the minister did not guarantee Victoria's credit rating would not be downgraded. But I go further, and I am going to quote some more from what Moody's said. Moody's asked the Victorian government to commit to:

... more restrained spending and sustained momentum on reform.

Ryan Batchelor interjected.

David DAVIS: No, do more. And I therefore ask: why has forecast spending grown from \$107.7 billion in 2025–26 to \$115.4 billion in 2028–29, a \$7.7 billion surge, given this growth in spending will heighten the risk for a credit downgrade?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:41): Asked and answered.

David Davis: Not answered at all.

The PRESIDENT: All you can do is move a motion to take note of the minister's answer.

David Davis: I will move that the house take note of the Treasurer's sad answer on the next day of meeting.

The PRESIDENT: You can do better than that, Mr Davis. Do you want to try again?

David DAVIS (Southern Metropolitan) (12:41): I move:

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

Motion agreed to.

Ministers statements: Aboriginal community controlled organisations

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:41): In this National Reconciliation Week I am happy to share how the Allan Labor government continues to invest in and support our Aboriginal-led organisations to lead the way in support of Aboriginal children and families. Last week I was proud to stand with Karen Heap, the board chair of the Victorian Aboriginal Children and Young People's Alliance, to announce more than \$30 million in the state budget to support nation-leading Aboriginal-led service delivery across our state. We want to ensure Aboriginal children and families thrive, and we know that Aboriginal people understand the needs and aspirations of their communities best. That is why through this state budget our government is investing in growing the Community Protecting Boorais program, strengthening the Aboriginal Children in Aboriginal Care program and funding the Aboriginal Children's Forum. This investment will also continue to support the work of the Victorian Aboriginal Children and Young People's Alliance and their important role in providing leadership, advocacy and support to regional Aboriginal community controlled organisations. Importantly, this investment also continues our commitment to ensuring a more efficient and effective system for Aboriginal-led service providers. Over \$5 million from this investment will provide a funding uplift for all Aboriginal kinders and allow for a new single funding stream. This will give Aboriginal kinders greater control over their funding.

It was wonderful to make this announcement last week at the Yirram Burron kinder, run by the Ballarat and District Aboriginal Co-operative. Yirram Burron will directly benefit from this funding uplift, as well as two other kinders run by the team in Ballarat.

This year's \$30 million state budget investment builds on the largest ever single investment from 2023–24, \$140 million over four years, because this Allan Labor government is committed to growing and strengthening Aboriginal-led service delivery in support of Aboriginal children and families. The theme of National Reconciliation Week this year is 'Bridging now to next', calling on us to step forward together, to look ahead and to continue to push forward as past lessons guide us. Our government is proud to partner with Aboriginal-led organisations in the spirit of self-determination to ensure that together we can provide vital services to keep families together, thriving, culturally rich and strong.

Economy

David DAVIS (Southern Metropolitan) (12:44): (923) Treasurer, your first budget was the subject of a negative report by the independent umpire Moody's credit rating agency. Within days of that budget the international credit agency highlighted the need to stabilise the budget and the challenge of achieving this without Labor committing to – and I quote again:

... more restrained spending and sustained momentum on reform.

Why is restrained spending and sustained reform momentum not part of your budget, given the risk to Victoria's credit rating?

Jaclyn Symes interjected.

David DAVIS: Well, it is not – not according to the agency.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:44): I reject the premise and accuracy of Mr Davis's question. Mr Davis is wrong.

David DAVIS (Southern Metropolitan) (12:45): Now we hear from the Treasurer that Moody's is wrong, that the quotes are wrong and that they did not say these things. In recent statements Moody's has called you and the Allan government out, stating:

Moderating expenditure growth may prove difficult, given expenses grew at an estimated 5.5 per cent per annum ...

Treasurer, I ask: why would Moody's, or indeed any Victorian, believe a word you say, given Labor's atrocious record of delivering higher taxes, waste and failing to deliver on previous budget promises?

Members interjecting.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:45): I will pick up on the interjection of my colleague Ms Shing. There is an opportunity for you to read the budget if you have not done so, because it would indicate to you that many of the assumptions that you are trying to put on the record do not stand up. But I will repeat: Moody's have said:

The government's cost-saving measures and continued re-profiling of capital expenditure sustain Victoria's track record of strong fiscal management and governance.

First Nations custodial health care

Sarah MANSFIELD (Western Victoria) (12:46): (924) My question is to the Minister for Corrections. Minister, you have previously spoken to this chamber about your commitment to addressing the health needs of First Nations people in custody. You also indicated your interest in supporting a pilot of a First Nations led model of health care in prisons. As you are aware, ensuring this model of care is available in prisons has been recommended by various entities, including the Royal Commission into Aboriginal Deaths in Custody, a recent Ombudsman's report, Coroner's Court recommendations and the corrections cultural review. However, we were incredibly disappointed to see that the pilot has not received the requested \$2 million in this year's budget, despite almost a billion dollars of additional funding going towards opening more prison beds. Why wasn't this pilot program funded?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:47): I thank Dr Mansfield for her question and interest in my corrections portfolio. As a government we have made significant investments, and this year's budget has been focused on frontline services and delivering real help with the cost of living. In the corrections setting it is about making sure we have a modern system and making sure that we can run the programs that have been so successful in making a difference to people's lives. In our women's system we have a public health provider and we have a new contractor for health across our men's system since I took over the portfolio. This budget announced an additional \$700 million into our corrections system, the majority of which will be focused on hiring more staff, since we are seeing an increase in the prison population in response to our tough new bail laws.

But we are continuing to invest in programs, and there is \$22 million in this budget dedicated to a new self-determined grants program to support First Peoples on remand and on bail, so there will be further opportunities for people to engage in that process. I want to thank the Attorney-General and also the Treasurer for their support in making sure that this additional \$22 million is in the budget to support First Nations people that do find themselves in contact with our corrections system. There is a lot of work that is being done. I have been proud of the investments we have made, such as the Aboriginal healing unit at the Dame Phyllis Frost Centre.

In relation to the pilot specifically, I will say it is something that I do support. On that quantum, to be frank, I am not sure if that is the level of funding needed to run a pilot. I think something much smaller, much more boutique and much more tailored would potentially work in our adult system. I think you need to trial it before you can scale up. I had the opportunity late last year to visit the ACT and see the work they have been doing, and it was quite informative. There were definitely benefits, but there were

obviously some serious learnings to be taken out of what has happened in the ACT. I want to take this opportunity to thank the minister in the ACT for that opportunity. I think, from my point of view, a trial within our adult system is still something we should consider going forward.

We will have this discussion next week in PAEC with many of you; Mr McGowan is listening very carefully, I see, to my contribution. I think we will have an opportunity to tease out that. We do have a significant corrections budget of over \$1.5 billion, and I think within that envelope there are opportunities to still do a trial. I am still interested in continuing those discussions. I have regular discussions with the Aboriginal Justice Caucus, Aboriginal-led health organisations and people like Auntie Jill Gallagher. I think these discussions should be ongoing. I think we need a pilot. I think it would be helpful to explore that option. Within that envelope, within the corrections budget, it is something that I am still exploring.

Sarah MANSFIELD (Western Victoria) (12:50): I thank the minister for that response, and I am pleased to hear that you are still willing to pursue this pilot. I will point out that the \$2 million was for a small-scale pilot, not for rolling out a full program. It is actually, in the context of things, a relatively small amount of money. But what I was interested in is how much of the additional prison expenditure is going to be used for expanded healthcare provision due to the anticipated increase in prisoner numbers.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:50): I think, as I announced during the last sitting week, the majority of the \$700 million is towards staffing. That staffing obviously is frontline, to make sure we have got people in the appropriate posts. If you do not have the adequate staffing and safety, you cannot run programs in the corrections system. Staff safety and having the appropriate people in the appropriate positions is foundational to a successful system.

A large part of that will be in upscaling our contracts for health services. Obviously in the women's system we have got an agreement with Western Health, and we have got GEO across our men's system. Those negotiations are taking place as we speak. I cannot put an exact figure on it today because some of those are ongoing discussions. It is difficult to predict where the numbers will be. We have seen an increase in the population on remand. We have still got another round of community safety reforms to come to this chamber. Seeing where those laws land – they will have an impact on the end system. Those negotiations are ongoing, so I cannot give a breakdown, but there are additional funds of course to roll out those programs proportionate to the increase in population.

Ministers statements: housing

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:51): I rise today to update the house on how the priority precincts program is delivering more homes, more jobs and more opportunities for all Victorians, including as we head toward 98 per cent of our target under the Commonwealth government's 1.2 million homes target. Our government recognises that Victorians want to live in areas that are close to jobs, services and transport, and our precincts are creating vibrant, liveable and sustainable communities. At Docklands, Development Victoria recently joined Lendlease to celebrate the start of construction at their Ancora waterfront residences. Ancora is going to provide 300 new residences, adding to the 10,000 apartments already completed or under construction at Docklands. Residents in Docklands are spoilt for choice, whether it be in public transport connections, a range of walking and cycling paths or proximity to the iconic Marvel Stadium.

Others – and I can hear you getting a bit exercised up the back there, Mr Welch – want to talk down our precincts, channelling the worst far-right conspiracies from other parts of the world. Some – Mr Welch, I am looking at you – have decried Docklands as having a Stalinist approach to urban planning. You are talking about 'communist areas' in the *Hansard*, with a 'let us build towers' attitude. But if we want a case study on how to ruin a precinct, we need to talk about Fishermans Bend. Once upon a time Fishermans Bend was hastily rezoned, allowing for swathes of high-rise residential

applications – some went as high as 60 storeys. There were no plans for community consultation to support the projected influx of 100,000 residents. This was a bit before your time in this place, Mr Welch, but we all remember that this was the handiwork of the member for Bulleen. Whilst those opposite left Victorians behind for their mates in the property development industry, our government is on the side of Victorians.

David Davis: On a point of order, President, the minister seems to be heading into a pseudo ministers statement – a statement that does not apply to anything current. She wants to talk about 10 years ago, 11 years ago, but I have to say, her job is to talk about ministerial announcements, not ancient history.

The PRESIDENT: The standing orders refer to a minister making a ministers statement during question time. They do not put any parameters around anything else.

Harriet SHING: Just recently I visited the Fishermans Bend innovation precinct with my good friend Nina Taylor, the member for Albert Park. Works have begun to deliver necessary infrastructure, and the circular economy is thriving thanks to the recent launch of the Circular Design Collective, supported by our Melbourne City Revitalisation Fund. To top it off, a new primary school will be opening at the start of 2026.

Written responses

The PRESIDENT (12:54): Minister Symes will get responses for Ms Payne's questions, in line with the standing orders. Given it is a minister here, it will be one day – 24 hours for that. Minister Blandthorn has committed to Ms Gray-Barberio to get responses for both her questions for the Minister for Education. For Ms Crozier's substantive question, Minister Blandthorn has committed to getting further information.

Constituency questions

Southern Metropolitan Region

Georgie CROZIER (Southern Metropolitan) (12:56): (1580) My question is to the Minister for Ambulance Services, and I refer to an email that has come from a constituent who is in charge of a retirement village in my electorate. On Wednesday 7 May a resident had a fall, and it took over 3 hours for an ambulance to arrive. On 16 May another resident had a fall, and again, after significant follow-up and dialling 000 and trying to get through, there was a wait of over 3 hours. They ask:

We believe there is a genuine methodology to put cases that aren't stroke, heart, haemorrhaging or loss of breathing related into an unacceptable holding pattern. This can lead to our residents, at times even with potential bone breakages, laying on the floor for deplorable time frames.

There is a real concern about why these ambulances are not responding in a timely fashion. I ask the minister to look into this issue of why elderly constituents are waiting for hours on end to get assistance from paramedics in times of need.

Southern Metropolitan Region

Ryan BATCHELOR (Southern Metropolitan) (12:57): (1581) My question is to the Minister for Health. How is the government supporting residents in Southern Metropolitan Region to get easier access to health care? Last week the great budget delivered by the Treasurer announced an expansion to the community pharmacy pilot initiative that under Labor has allowed people to go to their local community pharmacy and get free and convenient access to prescriptions for a range of conditions. I had the pleasure last week of going to the TerryWhite chemist in Bay Street in North Brighton. I spoke to Jacqui, the pharmacist, who told me there has been huge demand for the community pharmacy pilot program at that pharmacy in Brighton. The locals are so excited that that program has been expanded and made permanent in the recent state budget.

South-Eastern Metropolitan Region

Rachel PAYNE (South-Eastern Metropolitan) (12:58): (1582) My constituency question is for the Minister for Planning. My constituent is an engaged community advocate and resident of Lynbrook and one of many locals who have voiced their concerns about Veolia's proposed waste transfer station in Hampton Park. After a comprehensive environmental impact statement, Victoria's Environment Protection Authority refused the development licence application earlier this year. Veolia has appealed the decision at the Victorian Civil and Administrative Tribunal, and a hearing is scheduled for August. Residents have grave concerns for the outcome of this appeal. The EPA's decision to refuse the application was determined by unacceptable risks to human health. Overturning this decision risks severe consequences and undermines public trust in government agencies like the EPA. My constituent asks: if Veolia's appeal is successful, will the minister uphold the EPA's decision to refuse this development?

Eastern Victoria Region

Melina BATH (Eastern Victoria) (12:59): (1583) My constituency question is to the Minister for Transport Infrastructure. Built over a century ago, Leongatha's heritage railway station is a shining example of a bygone era, but highly distressed residents are so outraged at the senseless vandalism of this building. With the waiting room door ripped open, I recently inspected the extensive damage to the flooring, the walls and the plaster ceiling, along with graffiti inside and out. In addition much of the new rotunda and toilets at the revamped public park have been destroyed and then replaced. Police patrol sporadically and as often and as regularly as they can, but of course our limited staff are stretched thin on the ground in Gippsland, and clearly vandals are getting away and acting with impunity. Minister, what will you do to stop the destruction of this and many other heritage buildings under your watch?

Northern Metropolitan Region

Anasina GRAY-BARBERIO (Northern Metropolitan) (13:00): (1584) My question is to the Minister for Mental Health. Alamin is a constituent of mine doing everything he can to care for his brother, who is experiencing homelessness and severe mental health challenges. However, Alamin is facing significant barriers because his brother is too unwell to manage his own affairs or give formal consent. Alamin has been unable to locate key documents for his brother, like his passport, and without legal guardianship or identification he is being turned away by essential services that claim they cannot engage without proof of consent, leaving Alamin stuck in limbo, unable to get the help his brother urgently needs. Minister, will you commit to pursuing a streamlined consent and identification process in mental health and homelessness services so vulnerable individuals like Alamin's brother and their families can access essential care without delays due to guardianship issues or documentation barriers?

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (13:01): (1585) My constituency question is for the Minister for Planning. The Victorian government has approved a 17-storey apartment tower in Main Street, Greensborough, under the development facilitation program. This approval bypassed council's planning process entirely, and locals in my electorate feel left out of the decision-making process. Banyule council has publicly stated that it has no decision-making role, and that concerns raised about the building height and limited car parking were not addressed. Planning controls on this site also removed the requirement for notice to affected residents, despite similar developments elsewhere requiring community notification. My question is: can the minister outline what consultation, if any, was undertaken with Banyule council and local residents prior to this approval and provide details on how community views were considered in the department's decision-making process?

Northern Victoria Region

Georgie PURCELL (Northern Victoria) (13:02): (1586) My question is for the Minister for Environment. Just after dark on 16 May, my constituents who operate the Wildlings in Woodend, a Department of Energy, Environment and Climate Action registered wildlife shelter, heard the sounds of ongoing gunfire. That same night they responded to rescue calls nearby and found kangaroo body parts strewn across the road, including the severed tail of an adult kangaroo. My constituents are concerned that this may be the activity of a commercial kangaroo harvester operating in the area. This is the devastating reality of the kangaroo harvesting plan, where communities are witnessing local mobs massacred near their homes and the sounds of shooting in the dead of the night. At last year's wildlife welfare roundtables, with the minister himself present, we discussed the potential for mandatory exclusion zones around registered wildlife shelters to protect both animals and the wider community. Will the minister introduce these exclusion zones around registered wildlife shelters in Northern Victoria?

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (13:03): (1587) The Shadow Treasurer has made some important announcements today concerning first home owners' need for support on stamp duty. We have seen the comments by the Treasurer, and my question is directed to the Treasurer and relates to my electorate. It includes key areas in Southern Metro, the area that was referred to by the other minister earlier, in particular the area around Fishermans Bend. It is a massive expanse – up to 80,000 people could live there. What steps is the minister taking to cut the stamp duty cost for young families? We need to make sure that young families can get into homes. We need to cut the tax burden on young families. We need to stop the blocking of them getting into new homes. We need this state government to reassess its position, and certainly the opposition will be pushing forward with its plan to cut stamp duty for first home buyers.

North-Eastern Metropolitan Region

Aiv PUGLIELLI (North-Eastern Metropolitan) (13:04): (1588) My question today is to the Minister for Public and Active Transport, and it again relates to the community's request for a safe pedestrian crossing at Coolabah Reserve in Eltham. It is my understanding that \$2 million was allocated for a different project in Eltham – a pedestrian bridge over the Diamond Creek at Edendale farm. I understand that this is no longer feasible. The community are requesting that these funds be instead allocated to providing a safe pedestrian rail crossing at Coolabah Reserve, and 980 community members have now signed a petition calling for this pedestrian crossing. Will you commit to transferring these funds and building this crossing?

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:05): (1589) My question is to the Minister for Education, and the question I ask is in light of last year's state budget, where \$227 million was allocated to upgrade 25 schools, including schools in my electorate – Clayton South Primary School, Cranbourne Secondary College, James Cook Primary School, Lyndhurst Secondary College and Seaford North Primary School – which are said to be in the tender preparation or design phase. As the new state budget has been released, can the minister advise whether any of these ongoing school upgrades once again listed will actually be completed from this year's budget predictions? In the 2024–25 state budget the Allan Labor government promised capital upgrades at 25 schools, but they have kicked the can down the road. With funding for capital upgrades at a further 29 schools in this year's budget, can these schools trust these upgrades will ever happen under an Allan Labor government?

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (13:06): (1590) My question is for the Premier. The 2021–22 state budget allocated \$4.7 million in funding for several new fire stations, including a new

station for the Serpentine CFA in the Premier's own electorate, which was expected to cost \$890,000. It is now 2025, work has not even begun and the cost has blown out to \$3.2 million. When will the construction of the new Serpentine CFA station finally commence and when will it be completed? The land acquisition was finalised in 2022. The tender was part of the CFA procurement activity plan for the 2022–23 year. In March 2024 then Minister Symes said delays to the project had been resolved, and in February 2025 the CFA said construction was to begin that month, with completion by August 2026. It is now the end of May, construction still has not commenced and it has been reported that a sod-turning ceremony due to take place on 6 June has been postponed. Premier, prior to 2021 the brigade lobbied you for a new station for more than a decade, and you have shown them no respect.

Western Victoria Region

Bev McARTHUR (Western Victoria) (13:07): (1591) My question to the Minister for Roads and Road Safety concerns the restriction on road trains, which is costing Victorian farmers dearly during this drought. This problem is fixable at the stroke of a pen if the minister acts with urgency. Currently hauliers carting fodder from New South Wales must drop their third trailer at Echuca, deliver their double load, then return and repeat the whole journey. It adds 700 kilometres to each delivery to my constituents in Western Victoria. At \$6 per kilometre, that equates to \$4200 per load extra. That is thousands extra for every single delivery, real costs for struggling farmers fighting to keep cattle alive, hundreds of trucks a week and hundreds of farms. It is not even saving the roads. Triples mean fewer trips, lower emissions and less wear and tear. This is emergency relief that will not cost the government a cent and is practical and short term. After the Emergency Services and Volunteers Fund debacle, will the minister fix this?

Western Victoria Region

Joe McCracken (Western Victoria) (13:08): (1592) My constituency question is for the Minister for Public and Active Transport. Minister, last week, on 20 May, there was a huge rally on the steps of this place in protest against the emergency services tax. Many constituents have contacted me as they were seeking to attend via the V/Line services on the Ballarat line. Many were unable to attend because of signal faults at Bacchus Marsh. One of the speakers at the rally even had to take an Uber from Bacchus Marsh. I have also heard reports that there were signal faults on other lines at the same time. My question to the minister is: will you launch an investigation into these seemingly simultaneous disruptions to the transport system, or will you continue to ignore country Victorians?

Western Metropolitan Region

Trung LUU (Western Metropolitan) (13:09): (1593) My constituency question is for the Minister for Police and is regarding the cuts of \$50 million to Victoria Police in the recent 2025–26 budget. Police stations are reducing their operational hours across the state. Aggravated burglaries and robberies are increasing by a whopping 83 per cent across Melbourne's west, and in areas like Werribee and Point Cook residents have contacted me and raised the question of crime in their neighbourhoods. Can the minister please update my constituents on the Allan Labor government's plan to combat the crime crisis – addressing escalating youth crime, stabilising the rapid rise in crime rates, keeping police stations open and employing additional police officers to hit the streets – when this government continues cutting police operation budgets? Overall \$50 million has been cut from the police operations budget. Minister, under your watch public confidence in Victoria Police has plummeted to a low of 55 per cent.

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (13:10): (1594) My question is to the Treasurer on behalf of a long-serving CFA volunteer from Springfield who has dedicated over 15 years to protecting his community and raising funds for our vital emergency services. He, like many Victorians, is deeply concerned about the new emergency services tax, which effectively acts as a land tax and unfairly targets regional landholders. His land tax has already doubled, and this new levy adds further financial

strain, especially for those working the land in drought conditions. I note the petition sponsored by Joe McCracken, which calls on the government to immediately cease the introduction of this new tax, has already gained nearly 37,000 signatures. It calls on the government to retain the fire services property levy and commit to a genuine consultation process to develop a fairer way of funding Victorian emergency services. Treasurer, given the burden of this new tax on every household and business and landholder in Victoria and noting concerns raised by emergency services and local councils across the state, will the government scrap this unfair tax? I note the concerns from your local members as well.

Petitions

National parks

Wendy LOVELL (Northern Victoria) presented a petition bearing 11,974 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the Allan Labor Government's plan to create the Wombat-Lerderderg National Park near Daylesford, and the Mount Buangor National Park near Beaufort. This decision breaks a promise made by the Premier not to lock up Victoria's public forests and shows disregard for bush user groups who have long enjoyed outdoor recreation activities in state forests. Communities are concerned that the proposal will mean areas of state park, forest and bush are no longer accessible, and users will be locked out from a range of activities. This could significantly impact user groups and hurt local economies by limiting tourism and visitor numbers to communities where these parks may be established. The petitioners therefore request that the Legislative Council call on the Government to not create Wombat-Lerderderg National Park or Mount Buangor National Park, and keep state forests open for public access and the enjoyment of traditional activities.

Wendy LOVELL: As this is a petition qualifying for debate under standing order 11.03(10), I give notice that I intend to move 'That the petition be taken into consideration' on Wednesday of next sitting week.

Committees

Scrutiny of Acts and Regulations Committee

Alert Digest No. 7

Sheena WATT (Northern Metropolitan) (13:12): Pursuant to section 35 of the Parliamentary Committees Act 2003, I table *Alert Digest* No. 7 of 2025, including appendices, from the Scrutiny of Acts and Regulation Committee. I move:

That the report be published.

Motion agreed to.

Papers

Budget papers 2025–26

The Clerk: Pursuant to sections 27D, 27E and 40 of the Financial Management Act 1994, I table the 2025–26:

budget paper 2, 'Strategy and Outlook';
budget paper 3, 'Service Delivery';
budget paper 5, 'Statement of Finances' (incorporating quarterly financial report 3);
budget information paper, 'Gender Equality Budget Statement'; and
'Department Performance Statement'.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (13:13): I move, by leave:

That the 2025–26:

- (a) budget paper 1, 'Treasurer's Speech';
- (b) budget paper 4, 'State Capital Program'; and

- (c) budget ‘Overview’
be tabled.

Motion agreed to.

Jaclyn SYMES: I move:

That the budget papers 2025–26 be taken into consideration on the next day of meeting.

Motion agreed to.

Papers

Tabled by Clerk:

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

Brimbank Planning Scheme – Amendment C241.

Greater Geelong Planning Scheme – Amendment C466.

Greater Shepparton Planning Scheme – Amendment C252.

Kingston Planning Scheme – Amendment C225.

Melbourne Planning Scheme – Amendment C481.

Mornington Peninsula Planning Scheme – Amendment C256.

Statutory Rule under the Magistrates’ Court Act 1989 – No. 30.

Subordinate Legislation Act 1994 – Documents under section 15 in relation to Statutory Rule Nos. 23, 27 and 30.

Surveillance Devices Act 1999 – Surveillance Devices Inspection Report by Integrity Oversight Victoria on its inspections of surveillance device records during the period 1 July 2023 to 31 December 2023, under section 30Q of the Act.

Wildlife Act 1975 – Notices under section 86 of the Act –

Wildlife (Prohibition of Game Hunting) Notice No. 5/2025 (*Gazette S186, 15 April 2025*).

Wildlife (Prohibition of Game Hunting) Notice No. 6/2025 (*Gazette S235, 19 May 2025*).

Proclamation of the Governor in Council fixing an operative date for the following act:

Roads and Road Safety Legislation Amendment Act 2024 – Division 1 of Part 2 and Division 5 of Part 3 – 16 June 2025 (*Gazette S239, 20 May 2025*).

Business of the house

Notices

Notices of motion given.

General business

David DAVIS (Southern Metropolitan) (13:29): I move, by leave:

That the following general business take precedence on Wednesday 28 May 2025:

- (1) notice of motion 817, in an amended form, standing in my name on Victoria’s debt;
- (2) notice of motion 925, in an amended form, standing in Bev McArthur’s name on drought support;
- (3) notice of motion given this day by Melina Bath on free camping; and
- (4) notice of motion given this day by Anasina Gray-Barberio referring matters relating to school funding to the Legal and Social Issues Committee.

Motion agreed to.

*Committees***Environment and Planning Committee***Reporting dates*

Ryan BATCHELOR (Southern Metropolitan) (13:30): I move, by leave:

That the reporting date for the Environment and Planning Committee's inquiry into climate resilience be extended to 12 August 2025.

Motion agreed to.

*Motions***Middle East conflict**

Anasina GRAY-BARBERIO (Northern Metropolitan) (13:30): I move, by leave:

That this house:

- (1) notes with grave concern that, after more than 11 weeks of Israel's total aid blockade, humanitarian access to Gaza remains severely limited, with insufficient food, no hygiene supplies and no fuel permitted, leaving 2.1 million people in critical need;
- (2) further notes that:
 - (a) famine threatens Gaza's entire population, with nearly half a million people facing starvation and at least 57 children reportedly having died from malnutrition, likely an underestimate;
 - (b) nearly 71,000 children under five are expected to be acutely malnourished within the next 11 months without adequate food and medical access;
- (3) condemns the ongoing violence, including the killing of 629 Palestinians in the past week alone, with at least 148 women and children among the dead;
- (4) acknowledges UN Women's estimate that more than 28,000 women and girls have been killed in Gaza since October 2023, an average of one woman or girl killed every hour;
- (5) reaffirms Australia's obligation under the Convention on the Rights of the Child to uphold the protection of children in all conflict zones;
- (6) affirms that the safety, dignity and rights of all children, including Palestinian children, must be upheld and protected without exception;
- (7) recognises that the Palestinians are facing an imminent and extreme risk of mass ethnic cleansing;
- (8) opposes the state of Israel's ongoing invasion of Gaza and its blatant disregard for international law, civilian protection and the sanctity of human life; and
- (9) supports urgent calls for an immediate and permanent ceasefire.

Leave refused.

*Members statements***Stawell West Primary School**

Jacinta ERMACORA (Western Victoria) (13:32): It was a pleasure to visit the Stawell West Primary School last week and celebrate with them the \$4.7 million investment funded by the Allan Labor government's 2025–26 budget. Principal Anthony Cain showed me the designs for the upgrade and modernisation of the classrooms, which will dramatically improve the amenity and support spaces for staff and students. As we toured the school, we were met by a very cheerful therapy dog Griff, who spends time with adults and children alike who might be stressed or experiencing some sorts of challenges. His impact on the school and on individuals is very relaxing.

The school of 95 students is made up of 23 per cent First Nations children and 15 per cent are children of new arrivals. I met with a little preppie who was able to say hello and goodbye in English after three weeks of being in the country and at the school – she was doing an absolutely awesome job. This is

what public education is all about – creating environments where all little Victorians get a great education, no matter where they live.

Emergency Services and Volunteers Fund

Bev McARTHUR (Western Victoria) (13:33): I was in Meredith with colleagues last night, where I met locals James and Kath. They sent this letter to Eureka MP Michaela Settle today:

Shame on you, Michaela.

Who is going to help us pay this absurd 150% fire services tax.

Are you going to foot the bill for my \$10,000 feed bill so we can keep our cows alive through this drought?

Our bill to sow a perennial pasture in just 20 acres last year was 6K. And what little has grown this year with no rain has been decimated by the Kangaroos.

My wife has been active in the Maude CFA Brigade for over a decade, she has just been appointed Lieutenant, the first female to be appointed to this position ... Countless hours of voluntary service, at the fire front throughout the night, training sessions during the weeknights, countless weekends of voluntary hours ... in fundraisers, sausage sizzles, xmas community functions.

Take a look at yourself Michaela, what do you do for the community for free? You are going to cripple our regional communities ... farmers will go bust, and many are going to take their own lives. Get out on farm for yourself and see how hard farmers work and struggle to survive from day to day. Even better, come to our farm and walk in our shoes for a day.

Emergency Services and Volunteers Fund

Rikkie-Lee TYRRELL (Northern Victoria) (13:35): I would like to use my members statement today to highlight our Victorian farmers and the current strains they are facing in order to feed this state. Last week we saw thousands of farmers and CFA volunteers, many of whom are farmers themselves, make the journey to the steps of this Parliament to protest the cruel kick in the guts of a tax that is known as the Emergency Services and Volunteers Fund. This 150 per cent hike of a levy will hit our already struggling farmers, who have been battling the harsh conditions of this current drought. In the same week I joined the Bobinawarra community in a rally at Oxley, where they are protesting the proposed Meadow Creek solar facility. Many of my farming communities are protesting the planning approvals of these environmental catastrophes in the making. When will this city-centric government wake up and realise that they are destroying the communities that they simply cannot survive without?

Belmore School

John BERGER (Southern Metropolitan) (13:36): Yesterday I had the opportunity to visit Belmore School in my great community of Kew. It was two years ago next month that I last visited. Thanks to the Allan Labor government the Belmore School received \$9.67 million in upgrade and modernisation funds in the 2020–21 budget. This is part of Victoria's largest ever single investment into upgrading specialist schools, with 39 sharing \$388.8 million. I am pleased to report that the modernisation of block A and the construction of the brand new library are complete.

I want to thank everybody involved in making this possible, from the Deputy Premier and Minister for Education in the other place to the hardworking team at the Victorian School Building Authority and principal Amanda White. The team pulled through. It was a massive challenge for the school, keeping all the classes running, pick-up and drop-off times unchanged and, all in all, the mix of the construction work. But we got it done, and I want to thank James Millar Architects and SJ Higgins for the construction of their work. Thank you to the hardworking teaching staff and support staff for pulling together so these young kids have a chance.

It was extra special to have the chance to catch up with student leader Livian, two years older and still a role model for all the students. Only a Labor government can deliver for our next generation.

Economy

Georgie CROZIER (Southern Metropolitan) (13:37): Victoria's net debt will reach a staggering \$194 billion by 2028–29. That is just in a couple of years time. That is just an extraordinary amount of money. Interest payments on Victoria's debt will cost taxpayers \$36 billion over the next four years. That is \$29 million every day and over \$1 million every hour. That is Labor's debt. That is Labor's legacy to the Victorian community. But it gets worse. As others have said, the emergency services levy is hitting every property owner across the state, whether they have a business, a home, a property or a farm, and those farmers and CFA volunteers were on the steps last week where there were no Labor members, no Premier, no Treasurer – and both the Premier and Treasurer, who represent regional Victoria, shamelessly were not there. They should hang their heads in shame for the shocking financial situation that Victoria is in and the debt burden they are leaving generations of Victorians. But it is not only that: \$2.4 billion cut secretly out of public schools, the Suburban Rail Loop not even itemised – to be confirmed – in the budget, the list goes on.

Rental reform

Aiv PUGLIELLI (North-Eastern Metropolitan) (13:39): Renters are being evicted so landlords can turn their homes into Airbnbs. Entire buildings are being listed as short-stay accommodation – buildings that were once affordable and housed young people, now \$900 a week on Airbnb. This is happening far more often than people would care to admit. Landlords may treat housing as their investments, but people as a result of this are losing their homes. People are being kicked out and told that the owner or a relative is moving back in, only to then find the house has been listed on Airbnb, with renters left scrambling to find somewhere else during a housing crisis, spending hundreds if not thousands to move in a cost-of-living crisis. Renters feel there is no justice and that not enough is being done to protect them. Renters cannot rely on the investors to provide housing because they will evict them in favour of Airbnb. Government has a responsibility to address this and has not yet done enough. We need stronger action on rentals being made into Airbnbs.

ARC Theatre

Evan MULHOLLAND (Northern Metropolitan) (13:40): It was terrific to attend ARC's Northern Choir Fest 2025 at the Darebin Arts Centre recently, which was a showcase of 10 choirs and over 200 singers. I would like to acknowledge the hard work of volunteers Amelia van Lint, Vanta Jamieson, Sara Lacey, Andrew Jameson, Anthony Ventura, Genevieve Spiteri and Matthew Spiteri. It was great to serve as president of this great company in my past, and it was also terrific to be there alongside the member for Preston in the other place to show support for ARCapella on their 25th anniversary.

Transplant Australia

Evan MULHOLLAND (Northern Metropolitan) (13:41): It was also terrific to join my colleague Georgie Crozier to attend the Light a Life fundraiser in Keilor on Saturday night in support of Transplant Australia to raise important funds and raise awareness for organ donation, particularly in our multicultural and multifaith communities. I would like to particularly acknowledge Dr Raj Khillan, president of the Healthcare Awareness Society of Australia, and Aayushi Khillan, CEO of Body Buddies, for such a terrific event.

Cypriot community

Evan MULHOLLAND (Northern Metropolitan) (13:41): It was great to join so many in my community at a cocktail party to open the 52nd annual conference of the federation of Cyprus communities and organisations in Australia and New Zealand, hosted by the Cyprus Community of Melbourne and Victoria and the federation of Cypriot organisations of Australia and New Zealand, alongside the member for Pascoe Vale in the other place, and I would like to acknowledge the Honourable Theo Theophanous and Michael Christodoulou for their hard work and the invitation.

Federal election

Sonja TERPSTRA (North-Eastern Metropolitan) (13:42): I rise today to address the significant shifts we have witnessed in the recent federal election, particularly in the electorates of Deakin and Menzies, and to pass on my congratulations to the successful candidates on their election. These results reflect the desire of voters in the North-Eastern Metropolitan Region on the issues that resonate most strongly with them. In Deakin the Labor Party's Matt Gregg successfully unseated Liberal incumbent Michael Sukkar. The swing towards Labor in this election indicates a clear message from voters. Key issues such as cost of living, Medicare, climate change and women played a significant role in this outcome. The people of Deakin have expressed their desire for a government that prioritises their concerns and offers tangible solutions. In Menzies we saw the historic result of Labor's Gabriel Ng defeating Liberal MP Keith Wolahan. Menzies, long considered a Liberal stronghold, has now shifted to Labor. This represents a substantial realignment of the political landscape in Melbourne's eastern suburbs. Several factors contributed to this outcome but most notably a broader sentiment for change. The voters in Menzies have clearly voiced their preference for a new direction and a government that addresses their needs. The election results serve as a reminder that the electorate is engaged and informed and acted for change. I look forward to working with the successful candidates, both Matt and Gabe, in delivering results for people in the North-Eastern Metropolitan Region.

Government performance

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:43): In Victoria this Allan Labor government behaves as if it is the supreme planner, the supreme boss and the supreme judge, jury and source of truth. As socialists they make decisions for all while consulting only a select few. They treat everyday people as tools on election day and an inconvenience during the term. Berwick Springs Lake was renamed without residents' permission, destroying the historic value of the original name and failing to embrace the suburb's full diversity. Progress Street in Dandenong South is about to be permanently closed, ignoring expert opinions, creating congestion, driving up costs for hundreds of businesses and endangering workers' lives. Under Labor a big business is trying to jam a busy waste transfer facility near Hampton Park homes, creating pollution, increasing traffic, devaluing homes and harming people's health. Do not forget Heatherton residents, whose promised chain of parks is being replaced with a train yard near homes while they excavate an asbestos-infested rubbish dump, creating pollution, stress and breathing problems. These public policy failures can be traced back to a handful of powerful ministers like Kilkenny, Stitt and Williams, who refuse to consult, refuse to listen and refuse to respect those who sent them to Spring Street.

Brendan Drechsler

Gaelle BROAD (Northern Victoria) (13:45): I rise today to pay tribute to a remarkable man and a true champion, Brendan Drechsler. Brendan was a visionary leader driven by community spirit. He led by example in business and as a volunteer. As a dedicated life member of the Bendigo Jockey Club and Marong Racing Club and a passionate advocate as a board member of Country Racing Victoria, Brendan championed regional racing over many years. He understood the importance of these institutions, not just as sporting venues that support local economies but as community hubs that bring people together. Equally his service with the CFA as a life member and captain of Sedgwick CFA exemplified his selflessness and courage.

Brendan was always ready to lend a hand and served for over 50 years. He was passionate about the local community and helped revive the Sedgwick Cricket Club and was awarded life membership. Brendan's legacy is not just in the roles he held but in the lives he touched. He was larger than life, and his presence lifted any room he walked into. He had a gift for motivating others and bringing people together, and he built community wherever he went. Even through illness Brendan showed courage and would confidently say, 'I'm still here. I'm still going, Gaelle.' Our condolences to his wife Pam and family and all who had the privilege of knowing him. Our community shares your grief, and together we honour his memory. Brendan Drechsler was and always will be a true champion.

Rob Armstrong

Joe McCracken (Western Victoria) (13:46): I rise to acknowledge Rob Armstrong, who is a councillor for the Rural City of Ararat but also an incredibly passionate advocate for farmers and rural Victorians. Rob has championed the voice of farmers, volunteers and rural Victorians in being one of the most prominent vocal advocates against the emergency services tax. Rob has made multiple media appearances in the last few weeks and has been an important speaker at rallies on the steps of this place. I would especially like to highlight Rob's media appearance on Channel 10's *The Project*, where he detailed the severe stress, mental strain and pressure that farming communities are currently experiencing. Rob's own story is indeed a powerful one, where he detailed his own very personal experiences in dealing with the threat of bushfire from a very early age. I want to congratulate Rob for being such a strong advocate for farmers, volunteers and rural Victorians. The fight for respect and fairness continues. Rob, like many others, is unapologetic for standing up for what matters most.

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

Lee TARLAMIS (South-Eastern Metropolitan) (13:47): I move:

That the consideration of notices of motion, government business, 278 to 943, and orders of the day, government business, 1 and 2, be postponed until later this day.

Motion agreed to.

Bills**Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024*****Second reading*****Debate resumed on motion of Harriet Shing:**

That the bill be now read a second time.

Evan MULHOLLAND (Northern Metropolitan) (13:48): I rise to speak on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024, a piece of legislation that has been long anticipated. Despite the abrupt timing, I welcome the opportunity to address the bill, which has been nearly two years in the making – not that the government ever took this to the last election. There are a number of things that the Liberals and Nationals have called for, and I understand the minister will be making some sort of statement on these issues later, either in or prior to committee, and I will welcome his contributions on that.

We on this side of the chamber – at least I speak for myself – acknowledge that many Victorians suffer as a result of gambling-related harm, whether directly or indirectly, and we are absolutely supportive of efforts to minimise gambling-related harm within the Victorian community. As a, I guess, relatively new MP you have a bit more freedom to speak on issues of importance to yourself that you would like to see change on throughout your political career, so prior to my elevation to the front bench of the opposition I chose to elevate the issues surrounding gambling harm and have seen firsthand some of the issues which this bill seeks to address. Particularly I have seen firsthand some of the issues going on in the northern suburbs of Melbourne and have seen firsthand venues seeking to stagger closure times and other tactics like that.

I have seen firsthand the effects on families, including family breakdowns, that gambling harm can cause. I have seen firsthand the impact that gambling harm, particularly pokies-related gambling harm, can and does have on our multicultural and multifaith communities. I continue to call on the government to do more with our CALD communities when seeking to address this issue. It is not just about investing in gambling harm prevention as a set and forget. Just like we saw during the pandemic when critical messages were not communicated into people's languages, we continue to see government investment directed in a way that does not meet people where they are, where there are

households that speak English as a second language. We see many multicultural and multifaith communities, particularly in the outer northern suburbs, affected by gambling-related harm. I particularly note that Hume and Whittlesea are amongst the highest placed LGAs when it comes to record losses due to gambling. We see hundreds of millions of dollars walk out the door from hardworking Victorians due to gambling-related harm.

I particularly use this opportunity to continue to encourage the government to do more. We can always do more when it comes to the impact of gambling harm on our communities. But I note in particular if you are going to invest in harm prevention programs as a government, have a particular focus on getting the message out to people in their language and meet people where they are, because it is not good enough for everything just to be in English. Now that we have a minister who is from the northern suburbs, I will continue to call on the government to perhaps work with the multicultural affairs department to get some translators on the ground and get some information provided in different languages, whether it be Arabic or Turkish or Greek, which are fluently spoken in many communities in the northern suburbs. I will leave that part of my contribution there.

On the changes, at the time of the announcement the government outlined several key reforms: the implementation of mandatory carded play; the introduction of mandatory closure periods for gaming venues; a reduction in the load-up limit on gaming machines from \$1000 to \$100, and a decrease in the spin rate of gaming machines. This bill partially delivers on that agenda by enacting the reduced spin rates and establishing a legislative framework to enable the implementation of mandatory carded play. I do note, however, that it falls short of actually introducing the mandatory carded play policy in full. Instead it sets up a framework, a head of power, which authorises the government via regulation to implement such a scheme at a future date. That approach might seem efficient from a bureaucratic standpoint, but from a parliamentary and public accountability perspective it is lacking. Parliament deserves a detailed understanding of what these reforms will look like in practice and how they will be implemented and on what timeline. Relying on regulation, especially when it comes to specific regulations that are not yet articulated, limits our ability as legislators to scrutinise and debate the merits and the pitfalls of the policy that is actually before us in this place. I appreciate the government's willingness to respond to this point and improve parliamentary oversight on this.

We know from the second-reading speech that the government intends to phase in these reforms through trials and a gradual rollout, with the ultimate goal of statewide implementation of mandatory carded play by 2026 or 2027. However, even those stated timelines are already slipping. The bill was introduced in November. We now find ourselves in late May considering it in this place.

On this side of the house we recognise the need to address problem gambling. It is a real issue that affects not only individuals but families in communities across our state and across the country. There is no doubt that poker machines in particular have been a significant contributor to gambling harm. That said, acknowledging harm is not the same as endorsing every proposed remedy. This is a government policy initiative. We have got to be honest about mandatory carded play: while well intentioned, it might not be the silver bullet that some claim it to be. The fundamental issue is that problem gamblers, by definition, are individuals who already struggle with control. If signing up for a gambling card is the price of continuing their habit, many will just comply without hesitation. They will provide identification, accept the data tracking and proceed to gamble anyway. The system may indeed allow them to set limits on time and money spent, but enforcement of those limits remains a separate issue. Simply having a card does not guarantee behavioural change.

What this scheme may do, however, is affect the casual punter – the person who might visit their local RSL or pub on a Saturday night, have dinner and decide to put a pineapple into the poker machine. I have certainly done that before on occasion. For that individual the requirement to sign up to a government-tracked card, provide identification and have their activities monitored may seem like an unnecessary intrusion. The impact of this will fall not on problem gamblers but on the hospitality sector – our clubs and venues that serve as community hubs and fund a broad range of local activities, including sports, veterans programs and charities.

While we are on this bill, I would like to take this opportunity to remind the government of its sorry record when it comes to RSLs. The former minister and the government aggressively pursued several RSLs to pay for poker machine entitlements they legally could not use due to local government restrictions – RSLs like the Glenroy RSL, the Darebin RSL and the Pascoe Vale RSL, which has now gone into administration unfortunately. The government and the Victorian Gambling and Casino Control Commission aggressively pursued that these RSLs pay hundreds of thousands of dollars, and in some cases millions of dollars, for poker machine entitlements they literally could not use, because the local councils did not give them a permit to do so. They were charged for nothing, but the government was belligerent that this had to be the policy of the day and they must indeed pay up, even though when they agreed to these licences they could not possibly have known about the permit arrangements of the local council and the local councils' determination to stop those particular machines. But what it did mean, and what the Labor policy was in practice, was that RSLs that support their veterans and communities, local schools and local charities, like the Glenroy RSL, were sent aggressive legal letters from the VGCCC demanding they pay up. It was only after advocacy from me, my colleague Danny O'Brien and the Glenroy RSL that Labor were dragged kicking and screaming to abandon their pursuit of these RSLs on entitlements. So that was a sorry saga, I think, but it is worth refreshing the memory of the chamber on Labor's historical treatment of our RSLs. I particularly enjoyed visiting the Glenroy RSL recently for their Anzac Day service and having a very-early-in-the-morning schooner with some of the veterans and a gunfire breakfast, and also thanking them for their service but also speaking about the kinds of activities they are doing to give back to their community.

It is worth recalling I think how we got here. The government made no commitment to gambling reform at the last state election. In fact shortly before that it entered into a 20-year licensing agreement with the gaming machine operators – 10 years with a 10-year renewal option. These operators, having secured their licences, made significant financial commitments on the basis of a known regulatory environment, and yet within a year the government signalled a dramatic policy shift that changes the rules entirely. This undermines investor confidence and raises questions about sovereign risk. If the government is willing to rewrite arrangements midstream, what certainty is there for businesses to invest in good faith?

We have had a few changes since then, obviously. Some things have been pushed back in this bill – and not only pushed back in this bill, but the minister has been pushed on and a new minister has replaced that minister. That seems to be all done on purpose, and you do not need to hear it from me. You can readily hear it in the hallways of this place and in the phone calls to journalists from Labor backbenchers and Labor cabinet ministers frustrated by this government's abandoned attempt at some sort of social policy. You can read it in the newspapers. You can happily go up and just speak to a member of the Labor backbench, who are frustrated with the fact that Minister Horne's reforms were watered down and pushed back to the state that we see today. So I am looking forward to hearing many of the Labor members speak on that fact and possibly even celebrate the fact that these reforms have been really pushed back until after the next election. I suspect we will not, but I suspect that we will see an increase in the already viral briefing against their own government for delaying these reforms, as we have seen in particular in the ABC and other outlets and in the corridors this week.

The government may respond, in advocating for and pushing for these reforms, that Crown Casino has already implemented mandatory carded play and therefore the rest of the sector should follow. But Crown Casino, as we know, was subject to royal commissions both here in Victoria and in New South Wales due to serious misconduct, including failures to prevent money laundering. The pubs and clubs sector has faced no such findings. The overwhelming majority of these venues have played by the rules, invested in harm minimisation programs and supported the YourPlay voluntary system. While we are on Crown Casino, it is worth going through what happened there with mandatory carded play. Just to refresh the memory of the Labor colleagues in the chamber, there was a significant decline in patronage. Shortly thereafter the casino laid off about a thousand workers. The company may deny a

direct link, but it is impossible to ignore the timing. Reduced visitation, declining revenue and staff cuts followed on the heels of the carded play rollout.

Furthermore, I suspect that Crown, having borne the brunt of these changes, is now lobbying quite aggressively for their extension to pubs and clubs. They do not want to be alone in bearing the cost of this reform, but we should question whether that is a fair and logical basis for policymaking in Victoria. Should we impose burdens on smaller venues simply to level the playing field for a corporate giant that has, in the past, failed in its duties? YourPlay, the existing voluntary card system, has largely failed to gain traction. Few patrons have signed up, and anecdotal evidence from venue operators suggests that the uptake is minimal, even during targeted promotions. People are simply not interested. While I understand the government's desire to move from a voluntary to a mandatory system, we need to ask whether this represents meaningful harm reduction or simply a bureaucratic imposition with limited practical benefits.

The Liberals and Nationals have supported one aspect of this bill from the beginning: the introduction of pre-commitment tools that allow individuals to set limits on time and money spent. Empowering people to set their own boundaries is a positive step, and I am wary of suggestions that the government should set hard limits. If someone wants to gamble \$1000 of their own money over a weekend, that is their choice, but we must strike the right balance between harm minimisation and personal freedoms.

There are also concerns around the choice of technology. The government proposes to use magstripe technology, essentially the same system used by credit cards since the 1960s. The world has moved on. We now use smartphones, tap and go, and digital IDs, yet the government wants to use magstripe. My fear is once we have moved on from that it is going to be much more expensive for the government to roll out smarter technologies. It is like how it is costing hundreds of millions of dollars overbudget and delay and delay to try to get the Myki ticketing system to work with a credit card, yet the government thinks it is a good idea to use magstripe when we have got much newer technologies available.

This is why the opposition keeps talking about digitisation of government being an important principle, because when we digitise things, we make it easier. We make government more customer focused and more outward looking, rather than inward looking, backward looking, doing what works best for the bureaucrats, not what works best for the people. When we look at government systems in Victoria and satisfaction rating among Victorians, it is much lower than what you get in New South Wales, thanks to the reforms of the former Liberal government there. Service NSW has a customer satisfaction rating of over 90 per cent. It is unprecedented for any government service operator to have that high a satisfaction rating. That is because they did the investment in digital transformation to make sure that they had the tools necessary to better enable people to access government and to deliver government services to people and to business.

As we can see, to implement a new system using outdated technology in 2026 is not only regressive but possibly wasteful. We have seen, as I said, the government spend hundreds of millions trying to retrofit Myki to work only for it to be delayed and delayed and delayed. Especially when the contract for the current system monitor, Intralot, expires in 2027, are we really going to roll out a system that may be obsolete and replaced within a year? That is what the government has to ask itself. Other states have taken different approaches. Tasmania initially proposed a similar carded play system but ultimately abandoned it in favour of exploring facial recognition technology and a self-exclusion registry. New South Wales backed away from its own trial and is now looking into alternative harm minimisation tools. South Australia has successfully implemented a facial recognition system that helps enforce self-exclusion. That system allows third parties such as family members to initiate an exclusion, and from all reports it works well. Facial recognition may raise privacy concerns, but it also offers targeted and enforceable solutions. It avoids the burden on the average low-risk gambler while focusing on those most at risk. It may well prove to be more efficient and less intrusive than mandatory carded play.

Again I am pleased that, thanks to the Liberals and Nationals, the government is willing to come to the table and consider a trial of these technologies. When you have got so many other states that have looked at this and done this, I ask the government, in its consideration of a trial, to, instead of thinking the government can do it itself, look at these other states and see if it can take something off the shelf and learn from the mistakes of programs like Myki. Where there is a good idea, see if we can get it off the shelf and work with other states that have done this well, because ultimately we want to see it succeed. We think facial recognition is an option worth looking at.

We also must consider cross-border implications. If Victoria mandates carded play and New South Wales does not, what happens to clubs in Cobram, Mildura, Yarrawonga or Wodonga? Patrons will simply drive across the border. This affects not only venues but also the community groups they support. These are not just businesses; they are vital community institutions. There were many fears in the community that we would see a return to the shuttles that would travel north past Yarrawonga over the bridge to the services club there in New South Wales, which used to be, before the Kirner changes, full of Victorians. We used to see those. But this legislation now allows for the minister to issue directives on a different geographical basis, and I encourage the minister to protect regional communities with the powers at his disposal. I am pleased that the minister has been constructive in his dealings with us and has provided the concessions that allow the Liberals and Nationals to not oppose this bill.

Before we hear from all the Labor members about how worthy they are in pushing for a harm prevention policy in Victoria, may I remind the Labor Party who first started poker machines in Victoria. What government was that? It was indeed a Labor government. I think we would all agree that if we could have our time again, we would not have poker machines in Victoria. We would all agree on that. But we have to remember it as a deep, dark and regrettable legacy of the Victorian Labor Party that has inflicted untold harm on the community through their actions. They did it because the state was in deep financial despair and a deep mess when it came to finances in Victoria, and I fear we are in a similar position at the moment.

We are heading on a trajectory to \$194 billion of debt. That is truly frightening, and I fear that this government is making decisions that inflict similar harms on people across the state. When I look at what is happening to our farmers getting charged the emergency services and fire services levy increase – unaffordable at a time during drought. This is the same kind of harm that was inflicted by the Kirner government, with its rollout of poker machines. That has had a terrible effect and inflicted so much pain on so many working families across the state, and so many family breakdowns are a result of that Labor government. As I said before, I spent a lot of time prior to my elevation to the front bench speaking about these issues in my belief about these issues and wanting to do something about it. Personally I still hold a lot of those views, but the legacy of the Kirner Labor government cannot be forgotten. Labor do like to talk about their legacy sometimes when raising positive things, but I think all those positive things are undone by the countless and untold harm that that government inflicted on so many working families across our state, and it is a shame that the Labor Party should carry with it forever.

Michael GALEA (South-Eastern Metropolitan) (14:16): I rise to speak on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. These amendments, the ones that are in this bill, will build on the government's work to reduce the pervasive harm that gambling causes to individuals, families, communities and Victoria more broadly. I think it is fair to say when you look at whether it is the implementation of Victorian Gambling and Casino Control Commission (VGCCC), the tightened rules around Crown Casino, which Mr Mulholland referenced, or the various other reforms that have been made by this government in this space, it is certainly fair to say that this is a government that, perhaps without equal, has done more than any other government in this state to reduce the harm of gambling and particularly to reduce the harm of poker machines.

We are acting proactively in this space, and the measures that are in this bill are an important step towards better protection against gambling harm. It will introduce account-based play on gaming

machines in Victoria. We know that when patrons lose control, that is what gambling does and what the more predatory gambling industry practices are designed to do. We know that gambling is addictive and how it works to pull individuals into spending more time and more money than they had intended when they were away from the machines.

As I have referenced a few times in this chamber, a little while ago I had the opportunity to take part in a very important and very insightful inquiry conducted by the Public Accounts and Estimates Committee into gaming as well as liquor control in Victoria. It was quite remarkable evidence we heard. In fact the inquiry was taking place at roughly the same time that these reforms were first announced. I note the immense support for these reforms, of which today's bill is an important part. I also note something that has stuck with me: evidence from I believe it may have been Tim Costello, who drew the correlation between the 'Gamble responsibly' message and the arguments pushed by gun peddlers in America that 'Guns don't kill people, people kill people', shifting the responsibility for an industry's failings onto the very people who are being harmed, and drawing that comparison to the way that much of the language and messaging around, for example, responsible gambling was done as well. I note that, although it did some very good work, the Victorian Responsible Gambling Foundation has now been abolished and its functions absorbed into this effective regulator, the VGCCC, which has already conducted the inquiry, as we know, into the casino, and we have seen the reforms in the casino with card-based play particularly through that as well.

So that was a very important message that we heard. So too was the important message around the need for opening hours. Under the previous arrangements licences could have any variance of hours with which they were to have their shutdown period for the night, and what you would of course see was neighbouring premises coordinate their times so that you could go from one venue to the next to the next, thus effectively guaranteeing for those who are trapped in that cycle that there was no respite. The reforms, which have already been implemented, are now introduced for the statewide shutdown of these sorts of pokies venues, be it in suburban Melbourne or regional Victoria. Those shutdown hours between 4 am and 10 am are so especially important.

Carded play is a relatively simple concept. It means that a player card must be inserted into an electronic gaming machine (EGM) in order for it to operate. I note that obviously one of the other functions of this bill is to enable the trial and the other things that are being undertaken with that, and to Mr Mulholland's point, I know that the trial is not explicitly focusing on one technology and that other technologies may well still be incorporated into whatever final system is implemented to ensure that it is as responsive and as effective as it can be. We were the first state to introduce a voluntary statewide carded play scheme and that precommitment scheme for gaming machines. The technical framework is somewhat therefore established, but as I say, the trial will help to inform the best approach for making this work in future. We know that for some, voluntary requirements have been stigmatising, and therefore we would also see a lot of benefits for many people if this was standardised as the normal practice.

This bill also implements another very important part of those reforms, which is the new spin rate limits to all new EGMs, slowing down the rate of play and therefore the risk and magnitude of potential player loss at both the hotel and the club venues and also at the casino, which will lower the rate at which people can lose money on EGMs. These new EGMs will be required to have a spin for a minimum of 3 seconds, which compares to 2.14 seconds, which is the current time it takes to play one single spin. There will also be further amendments as part of this bill to ensure that overall gambling legislation is clear and is consistent.

I have spoken before as well about the effects that gambling harm can have. In my region alone in any typical year my constituents lose more than \$500 million on poker machines alone. That of course does not take into account other forms of betting. In Greater Dandenong more than \$100 million is lost every year; in Knox it is \$56 million; in the City of Casey, \$114 million. For these people, for my constituents and for the families and communities I am pleased that this government has been taking

these strong actions to minimise the harm of gambling. I am eager to see that these measures are strengthened and further protections are added at both the state and the federal levels.

Whilst poker machines remain some of the most widespread and some of the most pervasive forms of gambling, we have seen some very concerning trends in the increase to the rates of gambling in other forms, particularly with regard to sports betting and even in online forums and online games such as loot boxes and the like. I note that from the south-east of Melbourne we had the late great Peta Murphy, who handed down her landmark report on gaming reform, particularly with regard to advertising in sport, and I reiterate my very strong support for the recommendations in the Murphy report to reduce the prevalence of sports betting that all people, but especially children, are exposed to far too frequently when engaging in sports content – as they should be. They should be inspired to be able to enjoy sports, but they should be able to without the constant bombardment of such advertising. I take a moment as well to acknowledge and thank the work of my federal Labor colleagues, who have been continuing to agitate and push in the space of implementing the Murphy reform.

We have, as I referred to earlier, established the Victorian Gambling and Casino Control Commission, the VGCCC, which is Australia's strongest gambling regulator, and we have given it stronger and more enhanced oversight and enforcement powers. We have already implemented mandatory carded play for pokies at Crown and, as I mentioned, the mandatory closure periods. Since August last year all hotels and clubs must have their gaming areas closed between 4 am and 10 am. We heard some really interesting evidence at the inquiry about the need for those times in particular and tragically why so late in the morning was required, until 10 am. We heard considerable evidence of the effect of having poker machines available earlier – of people dropping their kids off to school and then being able to go access the pokies. That is a very tragic situation and cycle to be in. Having the mandatory closure period end at 10 am is one further way in which we can try and break that cycle.

I am mindful of the fact that there are many people who will want to make contributions on this bill today, but I will take the opportunity to welcome the amendments, which were discussed by Mr Mulholland, that are being introduced by the government and reiterate that this is a very important subject. It is one where much work has been done, and I thank both Minister Erdogan and former minister Horne, and both of their teams as well, for their very diligent work in this space. There is much work that has been done, there is much work to do, and I very much look forward to seeing the outcomes of the reforms we are discussing today.

Katherine COPSEY (Southern Metropolitan) (14:27): I also rise to speak on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. The Greens will be supporting this bill and are pleased that it is finally before us in this place. The previous Premier and the previous minister announced these reforms way back in July 2023, almost two years ago, and the bill itself was introduced to the other place six months ago. The reason to be concerned about these delays is that the degree of gambling harm that continues to affect communities across Victoria has not slowed and in fact is increasing.

Nearly a decade ago the Victorian Responsible Gambling Foundation quantified that harm in a report that estimated 330,000 Victorians experience harm as a result of gambling each year, costing Victoria around \$7 billion annually and leading to significant financial distress, mental health concerns and relationship issues. That figure included a full range of costs, which at the time – nearly a decade ago – were \$2.2 billion in family and relationship problems; \$1.6 billion in emotional and psychological issues, such as distress, depression and suicide; and \$1.3 billion in financial losses, including excessive spending and bankruptcies. I will emphasise that that figure has more than tripled in the eight years since the report was issued in 2017. It was \$3 billion last financial year, and this year the figure at 10 months is \$2.167 billion, on track to be nearly \$3.2 billion this financial year should it continue. The report also found \$1.1 billion in costs to the Victorian government for services like mental health and homelessness support flowing from gambling harm, \$600 million in lost productivity and work-related costs and \$100 million in costs associated with crime.

Research that was published this year has demonstrated that that harm is accelerating. Equity Economics, commissioned by the Alliance for Gambling Reform and Wesley Mission, found that gambling losses are a bigger drain on household budgets in Australia than the cost of electricity and gas and that gambling losses are growing at a rate faster than the cost of housing. The research also revealed that Australia's staggering annual gambling losses of \$31.5 billion eclipse what the federal government spends on aged care and almost rival the expenditure for the NDIS. The minister's electorate crosses over six local government areas. The Victorian Gambling and Casino Control Commission has laid out the data on losses by LGA, and in just one of those LGAs, the City of Hume, in just the first 10 months of this financial year communities have lost more than \$122 million – in one LGA alone.

In the Premier's electorate communities in the Greater Bendigo LGA have already lost \$50.8 million, and the financial year is not over yet. With regard to regulating poker machines I will say again that Australia remains a global outlier in having allowed the beast of poker machines to be unleashed out into our communities across pubs and clubs. Most jurisdictions in the world, including here in Australia – in WA, as a notable Australian exception – only see these machines in casinos and very scattered across the communities. I defy anyone who visits the lively pubs and clubs in WA to fail to see that their vibrant nightlife, music scene and all their pubs and clubs, which are venues that financially thrive and provide safe and family friendly environments, do so without income from poker machines. But then again, this predatory industry has wrapped its addiction model not just around people who use the machines and around the communities and families that are affected by that gambling harm; it is wrapping that addiction model around our community venues as well.

I take the opportunity to say that the government does need to remove barriers to venues that are looking to see their poker machine entitlements surrendered and then extinguished, so that those machines cannot pop up at another venue and just continue to cause harm and wreak havoc in communities across our state. Given how much we all acknowledge the harm that is caused by this industry, reform is well overdue, and it is very welcome that the government brings this bill forward today.

I also want to touch on the initial reforms that the previous minister instituted, such as standardising venue closing hours to between 4 and 10 am and setting a default pre-commitment limit of \$50 a day, and acknowledge that Victoria was the first state in the country to introduce a voluntary carded play system, which this mandatory system will and should, given the limitations that we have discovered with that model, build on. This bill does have a number of important measures to reduce gambling-related harm in Victoria. It empowers the minister to set out a framework for mandatory carded play systems in Victoria, which in plain English means that if someone is wanting to use a poker machine, they will need to have a card and they will need to set a limit for how much they want to spend that day. The bill also puts in place a very welcome reform of slower spin rates. The minimum spin rate for poker machines is increased from the current 2.3 seconds to at least 3 seconds, which will slow down the pace of play, the pace of poker machine use, and reduce the intensity and the potential for rapid, accelerated losses at machines.

I also note the government has brought in anti-money-laundering provisions around the maximum cash load up on machines, reducing this from \$1000 to \$100, limiting the amount of money that can be inserted into a machine at one time. I note that this bill has received support and is I think the direct result of advocacy by committed stakeholders, including the Alliance for Gambling Reform and many lived experience advocates who have put their hearts and souls into campaigning for gambling reform for many, many years. The Alliance for Gambling Reform has endorsed the bill and highlights that evidence shows that mandatory carded play with pre-commitment is a gold standard for reducing gambling harm from poker machines. We welcome that the bill produces the powers for the minister to get on with this work and will allow the minister to trial, set up and then implement this long-awaited mandatory carded play system across Victoria. However, given the delays we have seen to date, there

are lingering concerns on and some limitations in the bill that I do want to touch on today. To that end the Greens have two amendments to this bill standing in my name. I ask that they be circulated now.

Amendments circulated pursuant to standing orders.

Katherine COPSEY: The primary concern that has been highlighted in recent days is that though this bill sets up the powers for the minister to require mandatory carded play, there is no deadline in this bill and no requirement for the minister to act on those powers that they have been granted. The purpose of the Greens amendments is simply, in effect, to require that the mandatory carded play system be implemented on or before 1 December 2027. We believe that these amendments would give plenty of time and should be a minimum requirement to ensure that the reforms outlined by the former Premier and the minister two years ago will be implemented in full and will not be wound back or be held up at the discretion of a future minister or future government.

I thank the minister's office for briefings and constructive discussions on this bill, but I am concerned that we are seeing the implementation timeline pushed out by months if not years and potentially well beyond the date of this term of Parliament. In order to see these reforms fully implemented and helping communities the way that they are designed and for the media release that was put out in July 2023 to come through for Victorian communities and actually deliver, it is going to require the continued commitment of this government and the next government and the next minister to make good on those commitments. We hope and trust that that is the government's intent but note that this bill does not require things to be done by a certain date. That is the purpose of our amendments today, and I will speak to them further in committee.

I will also touch on a few other concerns that the Greens and gambling harm stakeholders have raised in relation to this bill. The three-phase rollout across a number of years will delay substantive harm reduction, as I have stated, and may leave the reforms vulnerable. Gambling harm stakeholders have been very clear in sharing their concerns with us that this could be a timeline that prioritises industry convenience over urgently needed community harm reduction. We share the view that the trial of technology itself in practice, how it works and what needs to be worked through has in fact been conducted. This kind of technology has been in full operation at Crown Casino over the past two years, and in our view the trial is actually duplicative and potentially could be a delaying tactic. We urge the government to be really live to this issue and see that these reforms are not watered down through this process.

While the bill mandates that a precommitment level must be set, a person can in practice set any daily limit without a cap, which would allow for unlimited losses, which means that in practice someone who is sitting and using a machine could gamble away tens of thousands of dollars in a day, which is what happens at the moment. What people do not understand commonly about the depths of addiction is that individual choice – and Mr Galea spoke about the potentially stigmatising impacts of personal choice narratives and responsible gambling terminology – is only part of the harm equation. These machines have decades of research and billions of dollars of gambling industry money behind them about how to generate and how to sustain addiction, and the industry has weaponised a dangerous product that consumers need to be protected from. We acknowledge that that is the intent of the mandatory precommitment system, and we urge the government to monitor how this works in practice and not be afraid to revisit limit setting and so on into the future to strengthen that protection for communities and poker machine users.

The Greens policy is that the card system should have default maximum limits of \$100 a day, \$500 per month and \$5000 per year, which more than accommodates those people who socialise at venues with machines but would protect people from being completely fleeced, frankly, by the gambling industry. In fact the Public Accounts and Estimates Committee's review of gambling regulations in 2023, which followed up from the Auditor-General's reports, did recommend the introduction of daily and weekly loss limits for poker machine users. However, the government has decided not to implement these limits. Advocates like Tim Costello from the Alliance for Gambling Reform have

criticised this decision and view it as a vital missed opportunity to minimise harm. Once this technology is in place we would once again urge the government to monitor how it is being used and whether setting these types of limits can also assist in reduction in harm.

Reducing spin rates from 2.3 to 3 seconds is a good step, albeit not as far as we would like it to go. The Greens policy position is for slower rates – for example, at least 5 seconds between spins – which is helpful to people who are using poker machines to disrupt the addictive, trancelike behaviour that is generated by the addiction-causing nature of the machines and is a major harm reduction measure. The Greens policies also are to have a \$1 per spin bet limit and a \$20 machine load-up limit, so we are pleased to see some progress towards those policies in terms of the \$100 load-up limits instituted by the government. Another missed opportunity, though, for this bill is loyalty schemes. The schemes that venues run, which incentivise prolonged play, can increase gambling harm, and they remain unregulated despite clear evidence that they do in fact exacerbate harm.

We also believe that the anti-money-laundering provisions could be stronger. While the \$1000 cash payout verification requirement is welcomed, gambling harm critics argue that broader reforms are needed to combat the systemic money laundering risks that are associated with poker machine operation. There are a raft of anti-money-laundering actions that are not in this bill, and I will be asking the minister more during the committee process about the anti-money-laundering provisions. The Greens platform on money laundering is to cap cash winnings payable by a machine at \$100, with winnings up to \$250 being payable by a cashier and those over \$250 payable only by cheque.

Lastly, the complete sham that is the community benefits scheme continues to appear to be given a free pass by this government. In 2023 our Public Accounts and Estimates Committee recommended a complete overhaul or removal – abolition – of that scheme. In 2017 and again in 2021 the Victorian Auditor-General criticised that scheme for lacking transparency, integrity and public trust. The Greens agree with stakeholders on this matter. The Alliance for Gambling Reform have called this scheme out as a sham that enables clubs to operate tax-subsidised poker machines under the guise of public benefit. What the scheme does allow is for extraneous things to be claimed as community benefits while giving little or nothing back to our communities and reaping a huge tax advantage. The community benefits scheme does need to be radically overhauled or, preferably, phased out entirely.

In summary, we are pleased to see this bill progressing through this place today, and our attention will now turn to the minister to come good on the commitment that was made in 2023 around a promise to the community that these reforms would be implemented and would operate in order to see a reduction in harm from the predatory poker machines that have been allowed to infiltrate our communities in huge numbers and cause huge harm. We will be looking to the minister to follow through and implement those commitments with urgency, and we hope for people's sake and for the community's sake that will be the case.

Gaelle BROAD (Northern Victoria) (14:43): I appreciate the opportunity to make a brief contribution to the chamber's consideration of the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. The bill seeks to amend the Gambling Regulation Act 2003 and the Casino Control Act 1991 to establish the legislative and regulatory framework for mandatory carded play and precommitment on electronic gaming machines in Victoria.

The Liberals and Nationals are committed to reducing gambling harm. In our last term of government we established the Victorian Responsible Gambling Foundation, which has since been abolished by Labor. First, I do want to acknowledge the significant impact of problem gambling. It impacts not just the person; it impacts family and friends and often workplaces and the local community – there is a ripple effect. There are drastic losses, losses of relationships and losses of employment and in some cases even the family home. According to the statistics, regional Victorians are disproportionately affected by problem gambling. When you look at the figures, it is concerning. In the 2023–24 financial year Victorian losses across different forms of gambling were over \$7 billion, and the taxes paid to

our state from that revenue were over \$2.3 billion. I think it is concerning when you consider the risk that governments may become addicted to gambling revenue.

I have spoken about the challenges in this chamber before. Gambling addiction can snowball from issues such as broken relationships, poor health, financial pressures and social isolation. I remember meeting the team at Anglicare some time ago. They provide financial counselling and support right across Victoria and help people who are experiencing problem gambling. They told me of a lady who stole money from her own workplace to fund her gambling addiction. As a result, family relationships broke down, she lost her job, spent time in prison and needed to rebuild her life with a criminal record. It is important to take action to reduce gambling harm and consult with those who can share their valuable experience and insights. But this bill comes with a lack of consultation, just one year after the state government entered a 20-year agreement with pubs and clubs. This government does make it very hard for businesses. They make it very challenging when they keep changing the goalposts.

Problem gamblers can still sign up to carded play. The current self-exclusion program relies on gaming staff remembering a face from amongst many others in a folder. With many people entering and leaving a licensed premises for various reasons, this is almost an impossible job. I was speaking with local club general manager Martin Beekes of the Bendigo District RSL, a club that has over 7000 members and had over 50,000 people use the facility in the last year, and I know they do a number of community benefit programs. They have support for veterans and veteran services and wellbeing programs, and they do trips and outings for veterans. They operate a military museum, and they have held numerous services there to commemorate our veterans; I have been to a number of those. They do support the local community groups and sporting clubs, so they are very engaged in the local community and they strongly support responsible gambling measures. They want to keep problem gamblers out of their venue, but they are concerned that the technology proposed is outdated and unreliable, posing unnecessary barriers for patrons.

There is no detail about the pilot proposed. Which clubs will be impacted and who will pay? What happens if the system fails, and who will suffer the losses? It is also important to note that some regional venues are using different internet models with different speeds, and if the system crashes, how will the venue trade? Under these changes every person will be required to sign up to a card and hand over and prove their ID before playing the pokies. The Bendigo District RSL has raised concerns that these sweeping changes risk pushing players towards less regulated alternatives such as sports betting apps and online casinos. A person wanting to gamble or with a gambling addiction can find other ways to gamble, and we know that it can be done very easily on the phone and online without any real legal oversight. My Nationals colleague Kim O'Keeffe shared a number of experiences in the chamber during her contribution to this debate. She told a story of a close friend whose 18-year-old son was at university and was gambling on his phone. He left university due to mental health issues associated with the consequences of this addiction, and his comment was that 'So many others are doing it.'

I note that the parliamentary inquiry into gambling and liquor regulation in Victoria by the Public Accounts and Estimates Committee in November 2023 identified a number of findings. Finding 14 says:

Gambling harm is particularly prominent in young men, a cohort for whom gambling is increasingly normalised. Treatment service providers are experiencing a rise in referrals for both therapeutic and financial counselling sought by parents and guardians on behalf of their young sons.

That is very concerning. Finding 15 says:

Gambling player losses in Victoria amounted to \$5.1 billion in 2020–21 and increased to \$7.5 billion in 2022–23. Losses from electronic gaming machines constitute the largest losses in Victoria but losses from online gambling are the fastest growing category of losses.

The impact of gambling is very real, and the government needs to continue to address these issues.

Venues like the Bendigo District RSL would prefer the government to talk to the industry about facial recognition technology, which has a 99 per cent success rate in recognising a person who has self-excluded themselves. States like South Australia have taken it even further, with this technology already legislated and being used successfully. There are venues in Victoria that are already trialling and using this technology, and they believe it is a game changer, keeping problem gamblers out even if they disguise themselves. The Box Hill and Bentleigh RSLs are currently using this system, and Bendigo District RSL is looking at installing this technology in the coming weeks to also trial it.

I want to note too that Evan Mulholland spoke earlier about the impact of these changes on clubs along the border. That is certainly the case in my electorate of Northern Victoria, where people can very easily commute into New South Wales, which has a different system in place. It would be helpful for the government to consider the amendments being put forward by the Liberals and Nationals to protect border clubs from financial drift to interstate clubs, to evaluate and report on the feasibility of new technologies such as facial recognition and automated risk monitoring systems, to provide evidence that its reforms will reduce gambling harm and to improve parliamentary oversight of these reforms.

We have seen the errors with the introduction of Myki by this government, and we certainly do not want history to repeat itself by rolling out outdated technology across the state. I would ask the government to listen and learn from other states and engage with local clubs in regional areas when considering these changes.

Ryan BATCHELOR (Southern Metropolitan) (14:51): Any opportunity we get to speak on a bill that helps reduce the harm from problem gambling is one that we should all take in this place. For me personally, we have many opportunities and many responsibilities as members of Parliament. Doing things that help some of the most vulnerable in the community, some who suffer the most from problem gambling and its ill effects, is something that I personally feel very passionately about, and I am very pleased to rise to speak on the bill today.

As others who have contributed to this debate have said, Victorians lose a lot to different forms of gambling: more than \$7 billion in the 2023–24 financial year, around \$1300 for every person in the state and more per capita than what Victorians spend on tobacco or alcohol. It is not a problem for everyone, but for too many it is. For one in five gamblers in Victoria there have been family breakdowns. For one in three there has been mental illness. For 65 per cent of gamblers there is a correlation with the dangerous consumption of alcohol. We know that problem gambling is much more than just losing money. It can ruin lives.

The social cost of gambling is significant. Studies show around \$2.2 billion of loss related to family and relationship problems and \$1.6 billion related to psychological illness. Therefore there are significant costs from problem gambling to Victoria, to the Victorian government and ultimately to Victorian taxpayers. We know that too often, just like with alcohol and just like with tobacco, the problems associated with gambling can start at a very young age. We know that many young people in the community are most at risk of becoming addicted, and that harm can last a lifetime.

The Labor government here in Victoria fundamentally believe that helping prevent Victorians from becoming problem gamblers is something that is absolutely on our list of must dos. The government has already taken serious and significant action to mitigate the risks and the damage of problem gambling. The Victorian Gambling and Casino Control Commission is Australia's strongest gambling regulator. We have introduced mandatory carded play for poker machines at Crown, we have introduced mandatory closure periods for gaming areas in hotels and clubs, and this bill goes further by introducing account-based play for all users of gaming machines in Victoria – measures that will put control back in the hands of users, allowing them to stay in control of their spending so that the machines do not start to control them. We know that electronic gaming machines – poker machines – are the source of much of the problem gambling that we see here in this state. Of the more than \$7 billion of gambling losses in Victoria, around \$4 billion is on poker machines.

The changes that this bill will introduce require gaming machine users to use a form of account-based play – use a card associated with that, for example – and that machines will not operate without that, to allow those users to set their loss limits, to set their losses and expenditure and then set limits on the amount that they want to then put into the machines on deposit. This type of account-based play enables a range of harm minimisation measures, including pre-commitment, because we know and the studies have shown us that when users can visibly see the losses that they are making, they can make better decisions, reducing harm, but also that the technology can step in and remind people of their pre-set limits so they do not exceed them. Because we know that sometimes in the moment people slip past the barriers that they have mentally set and that we need the technology and those pre-commitment systems, carded and account-based play systems, to support them.

There is a significant body of external research that offers very clear evidence that mandatory account-based play can mitigate the damage of gambling on electronic gaming machines – on poker machines. It is an issue. These are measures and technologies that I have personally been following for a very long time – it seems like far too long now – having spent quite a number of years on them when I was working for the Gillard Labor government in Canberra, who sought to introduce a range of measures that would have enabled mandatory pre-commitment technology to be used on poker machines across the country, reforms that were, in the end, stymied by Tony Abbott and the Liberal Party. I think of the benefits that could have accrued had those reforms stayed in place and the losses that have piled up since they were gotten rid of by the Liberal Party in Canberra, so it is very pleasing personally to be part of a government that is taking these steps and is introducing the legislation before us today.

The legislation that we are introducing enables the benefit of these new measures to be implemented in a phased way so that we can do pilot schemes followed by a subsequent broader rollout to enable us to get both the technology and its application right. The bill also does a few other things, including reducing spin rates on gambling machines – an effective harm reduction measure – and I am very pleased to see that, to help slow the rate of loss and to slow the rate of play.

This is another great opportunity that the Parliament has to introduce further measures to reduce the harm from problem gambling, particularly on poker machines, in this state. We know people in our community, community members, are concerned about the impacts of problem gambling in our community, and they particularly know the impact that losses on electronic gaming machines, on poker machines, can have on so many. Any measures that are designed to prevent that harm, that are designed to prevent those losses, should be supported. I am very, very pleased to be part of a government that is taking this action and is supportive of the bill passing through the Parliament today.

Sarah MANSFIELD (Western Victoria) (14:59): I rise to speak on this bill and in support of my colleague Ms Copsey and her amendments. These amendments represent an extremely modest ask: simply to commit to implementing the change that the Labor government say that they will make within some sort of visible time horizon – to actually do what they say they are going to do. While the change to the law represents an improvement with respect to harm minimisation, frankly I personally think it is all a joke, because pokies should be wiped out, and as soon as possible. I was once told by someone who worked in the gambling harm minimisation space that sometimes people who have a personal connection to pokies-related harm struggle to temper their advocacy and work towards more incremental change. This was years ago when I was a councillor in Geelong working towards getting a stronger policy with respect to pokies in our municipality. Given essentially the entire junior AFL league business model in Geelong relies on funding gifted from pokies venues, any moves to disincentivise pokies provoked strong community reactions and pressure that was difficult for the rest of council to withstand, and I found it incredibly frustrating.

That interaction with the worker hung with me for a long time afterwards. I do not know if she said it because she detected the experiences I never articulated, but it certainly felt like it. From that point I questioned my judgement and decided that perhaps my response to anything related to pokies may not be entirely reasonable or rational. But when the white-hot rage returned after federal Labor gutlessly failed to act on gambling advertising despite having huge community support to do so, then again on

seeing this bill introduced late last year, which did the bare minimum in terms of pokies harm reduction, and then again on learning that the implementation of those modest changes has yet again been delayed, I reflected further and realised that actually my response is entirely reasonable and rational. It is the decision to keep allowing pokies in this state that is senseless.

There is absolutely nothing good about poker machines, and I am yet to meet anyone who can name a single reason they should exist or a single good thing they have ever done. Electronic gaming machines are deliberately designed to create addiction and financial loss for the user. The lights, the sounds, the spinning images, the suspense, the mechanical simplicity and the intermittent so-called wins are all designed to exploit neural circuits in the brain with carefully timed dopamine hits to maximise addiction, and the harms for our society are monumental. One in five Victorians experiences harms from their problem gambling like poor mental and physical health, relationship breakdowns, financial stress, loss of homes and jobs, alcohol and other drug use, violence and crime, and the ripple effects of that are huge. It is estimated that six other people are harmed as a result of a person experiencing problem gambling.

Then there are the lower risk but even more prevalent forms of gambling that still result in harms to the individuals and those around them. We are talking a huge proportion of the Victorian community directly or indirectly experiencing harm from pokies. I have seen it in many ways, personally and professionally. My blood boils just thinking about it.

How on earth did we get to this point? Pokies were legalised in Victoria in the 1990s thanks to the lobbying efforts instigated by the gaming machine billionaire Len Ainsworth to the Kirner Labor state government. Victorians now pour \$3 billion a year down the things – over \$3 billion – and that amount swells every year. Over \$3 billion – think about that. And it is not just the individual users who are addicted. The host venues are addicted. Many venues see it as an unrivalled revenue stream to boost their business profits. But there are plenty of different hospitality venues in Victoria that manage just fine without pokies, and there are other ways to make a buck.

In Victoria gaming venues must contribute 8.33 per cent of profits to so-called community benefits, but the scheme has been shown to be an utter sham, with over two-thirds going towards staff wages, venue decorations and pay TV subscriptions – things that should just be costs of doing business at best, and at worst they serve to facilitate even more gambling. What is left over goes out to various sporting clubs and community groups that receive those community benefits required to be paid out by the venues as a condition of receiving that licence. My deep congratulations to those clubs who have been brave enough to step away from gambling revenue, but I understand it is a really hard thing to do in an environment where government funding is difficult to come by. As I mentioned earlier, in many places, including my home town of Geelong, payments off the back of pokies revenue have become a vital revenue stream for many sporting clubs. They then often find themselves having to defend pokies because the financial pay-off is just too tempting to refuse. And because sports clubs and other community groups are such an important and valued part of our social fabric, which is particularly evident in rural and regional Victoria, whole communities end up conflicted about the role of pokies. It is genius, really – a carefully designed ecosystem of gambling addiction. The thing is, if we got rid of pokies in Victoria, despite all the noise that would inevitably erupt after even so much as floating the idea, the sky would not fall in. There are practical steps the government could take to help businesses and sporting clubs and all the others who have been built into this ecosystem to transition away from pokies revenue. Various councils have led the way on this, like Darebin and Dandenong, and state Labor would do well to learn from them. The benefits for individuals, families and communities would be immense. Lives would be saved.

I think that is the thing that makes me most angry about pokies. The harm from these pointless machines is 100 per cent preventable, and it is absolutely 100 per cent within the power of the state government to prevent this harm. Further, the Labor state government knows this. In announcing this bill they stated all the statistics, they spoke about how these laws would save lives, and yet we learn today that they cannot even follow through and implement these laws. While they are all things that

advocates have long called for, they are a far cry from what is needed to eliminate gambling harm from pokies, because that would require eliminating pokies. Labor say they care about things like cost-of-living pressures, like family violence, like poor mental health and suicide. Problem gambling is a significant contributor to these things, yet phasing out pokies is not even remotely close to being on the agenda. Instead they knowingly and willingly choose to allow tremendous human misery and suffering to continue. Why? Because Labor is beholden to the gambling lobby, who have long donated generously not just to Labor but to all the old major parties. Every single one of you who allow your parties to keep supporting this morally reprehensible inertia should be ashamed of yourselves. Victorians deserve better.

I know and accept that my views on this issue are entirely prejudiced by my experiences, but I am unapologetic, because those experiences mean I can see clearly what those sitting in the seats of government who rationalise and justify cannot – or maybe they do see and actively choose to look away from it. To borrow from the Whitlams, it is time to blow up the pokies and drag them away.

Jacinta ERMACORA (Western Victoria) (15:07): This bill establishes the framework for mandatory carded play and precommitment on electronic gaming machines – or the pokies, as we call them – in Victoria. It also introduces or enables a range of other measures, including new spin rate limits, slowing the rate in which people can lose money on gaming machines, and this forms also a preventative element to money laundering as well. I am very proud that we are taking action to support Victorians who struggle with gambling addiction. We know that gambling addiction has profound impacts not just on the person who is addicted but on their family and friends. Too often it builds on the issues that people are facing and makes their situations worse.

I have spoken before about working with people suffering from gambling addiction as a counsellor at the South Western Centre Against Sexual Assault, and the reality is that some people turn to gambling and other forms of addiction as a trauma response – a very small group, but nonetheless. Gambling can be a coping mechanism that helps people who have suffered trauma survive hour by hour, day by day. Clients reported to me that it dulls their pains and distracts them from the feelings that otherwise might overwhelm them. This is particularly true for the pokies. The whole experience – bright lights, ringing bells and even the random nature of the payouts – keeps people hooked on the game. It is possibly the first use of an algorithm that is so common now in electronic devices that we experience every day – in fact algorithms that shape our behaviours every day.

In an article in the *Age* on 25 January 2023 recovering gambling addict Anna Bardsley was quoted as saying, and I thought this was quite powerful:

The only way I can describe it to you is everything else is gone. You just go somewhere else because they mesmerise you. And poker machines are designed to do that.

The same article also quoted a national study in the *Journal of Behavioural Addictions*, which found unambiguous evidence that electronic gaming machines are responsible for a significant portion of gambling problems in Australia.

I just want to put this in context. Whilst problem gambling is a significant issue for some people and some communities, this is in the context of gambling on the whole being used as a form of pleasure and leisure – at the races, playing cards and a whole range of gambling activities that the majority of the population conduct themselves in safely and without any addiction issues or challenges. I really think that this is not an area where we should be making moral judgements. We should not be imposing blanket bans. We should not be righteously demanding the abolition of something. But what we should be doing is supporting those who have an issue with it. We are now developing a deeper understanding of why some people have a challenge with gambling and the causes of that. I am very pleased that this bill is focusing on making gambling much safer for those experiencing those challenges but also, in doing so, normalising the cards; that is a very positive thing as well.

The bill establishes a framework for the implementation of harm minimisation measures, including account-based carded play. This requires gamblers to insert a player card to operate a gaming machine. The card allows them to preset commitments on how much they are willing to lose. The evidence is that that is a preventative measure right there. We were the first jurisdiction to introduce voluntary carded play and a precommitment scheme for gaming machines. But studies have shown that the voluntary requirements can make people feel stigmatised, so we are making them standard. This is normalising the card, as I said, while restricting those who need or want to be restricted. We will do this in a thoughtful and evidence-based way.

Our approach needs to be adaptable in order to respond to the changes in technology. Digital cards, such as those you keep on your phone only, are rapidly replacing physical cards, and I certainly have an app with all sorts of different cards lodged into it on my phone. These reforms establish a framework that allows continuous improvement. We are conducting pilot programs to assess the effectiveness of harm minimisation technology. Lessons from the pilot will shape the next steps, and the legislation provides the framework for that adaptable approach.

I want to finish by recognising that many of our pubs and clubs rely on pokies for revenue, and they are important parts of our community. For many they are a place to catch up with friends and family, celebrate special occasions or just enjoy a night out. Many community clubs also make significant contributions to local communities, supporting grassroots sports, charities and social programs that benefit thousands of Victorians. I had the pleasure of attending the Warrnambool RSL recently, together with my fellow Labor Party local branch members, to watch the election results. I was particularly pleased at the end of the evening, in fact not even at the end of the evening; I was particularly pleased very early in the evening. It was a wonderful moment and one I was happy to have in such a wonderful landmark with such beautiful views of Warrnambool; the Warrnambool RSL is in a stunning location in Warrnambool. We want to make sure that the RSL and other venues which get some of their revenue, just a very small amount, from gambling do not have that suddenly taken away from them. That is why it is important that these reforms strike a balance, minimising gambling harm while ensuring that community venues remain a safe and enjoyable part of our Victorian life. That is why I support the bill.

David LIMBRICK (South-Eastern Metropolitan) (15:15): I also would like to speak on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. I will start out by saying that of course gambling causes much harm in Victorian society and that there are many people addicted to gambling. I would also point out that, not least of which, the main organisation that is addicted to gambling is the government itself through gambling taxes. I would also point out that gambling harm could be lessened by lowering those taxes because it would increase the payout ratios. Nonetheless what we are seeing here is an attempt by government to lessen harm caused by gambling. Because they legalised pokie machines many years ago, they have seen harm, and they think that if they can tweak a few settings by having pre-carded play and by lowering the spin rate they can lower harm. I am sceptical for a few reasons, and I am also sceptical about whether this is an appropriate thing to do. The thing that we must treat very clearly here is that these people playing are adults. They are adults making decisions for themselves. In a free society we recognise the agency of people that are adults, and in a free society you are allowed to make bad decisions. In fact if you live in a society where the government does not allow you to make bad decisions, you no longer live in a free society. So I do not think that it is a good idea that the government does this.

Now onto the actual technical mechanisms here. The cards will require the sign-up of people's private information and will collect all sorts of data. These same companies that the government and other speakers are demonising will be collecting this data. And let me tell you, this data is extremely valuable. I have very large concerns about, firstly, how this data might be used, and I would be willing to wager a bet indeed that it will be leaked at some point in the future through a data breach, as we have seen many other times. What was alluded to by Mr Mulholland earlier – and he made a very good point actually – was that for casual punters, the people that might go in and use them occasionally

and not really cause harm, this is probably going to be a barrier too high for them. They are not going to sign up for these cards, they are not going to want to give over their personal details and they probably will not do it. In fact I would not do it. So what you are really doing is turning pokie machine venues into places where only people with problems will play. There will not be casual punters who will just turn up and have a go. You are turning them into places where only people with problems will play, which is a problem in itself.

One of the amendments that was foreshadowed as well is to look into doing a trial or experiment with facial recognition. Again I would like to raise the alarm on this idea – the idea that we want to have a trial on recognising people’s faces before they can spend their own money on something that they choose. I mean, does the government really think that Victorians are adults capable of making their own decisions or not? I do think that Victorians are adults capable of making their own decisions, and I do not think that the government should be making decisions on where people can and cannot spend their money, even if it is on a bad thing like gambling. I am not a fan of gambling myself. I do not like these machines, and I sympathise with many of the concerns that people have raised about these companies and the ways that they exploit algorithms.

Dr Mansfield spoke before about this utopian Greens world where pokies are eliminated. Well, we already know what happens when pokies are eliminated. In fact it was pointed out in the Victorian Responsible Gambling Foundation report. During lockdowns people could not use pokies. They could not go and use them, and what happened was that online gambling exploded. It exploded, and many of the people that went to use online gambling did not come back to use pokies. They remain using online gambling. Many of these companies are foreign companies, totally out of the reach of Australian regulators. Our federal regulators, let alone the state government, have no hope whatsoever of regulating this. This is what happens with prohibition. That was what the Greens were talking about here – prohibition. When you prohibit these things, people turn to either black markets or foreign grey markets, which is exactly what we saw happen during the lockdowns, as was pointed out in the VRGF report.

These are the reasons the Libertarian Party will not be supporting this. Firstly, we need to treat Victorians as adults that make their own decisions and have their own agency, regardless of whether we think they are good decisions or not. Secondly, I think that collecting the data from these cards and potentially the data from facial recognition is a very dangerous precedent, and I also have concerns about the security on that. I feel that it is incredibly hypocritical that the government, which benefits from these gambling tax revenues, seeks to say that it wants to minimise harm. They could minimise harm by stopping collecting taxes from these revenues, but they do not do that. I find it hypocritical. The Libertarian Party will not be supporting this bill.

John BERGER (Southern Metropolitan) (15:21): I rise to support the legislation before us which has been introduced to amend the Gambling Regulation Act 2003 and the Casino Control Act 1991 and for other purposes. In doing so I would like to thank my good friend the Minister for Casino, Gaming and Liquor Regulation, Minister Erdogan, for his hard work in putting together this substantive, evidence-based reform bill. It continues the work of the Allan Labor government in helping reduce the harm of gambling while striking a balance to ensure that community clubs, RSLs and hospitality venues remain an important part of Victorian life.

The Allan Labor government has been working to find ways to minimise the harm to individuals and to society caused by gambling without taking away the ability of individuals to gamble with their own money if that is what they choose to do. The bill will make amendments to the gaming machine monitoring licence and the public lottery licence frameworks to maximise the state’s ability to extract value for future licences as well as to ensure consistency with other major gambling licences. This builds on the measures this government has already delivered to minimise gambling harm. It also establishes a framework for the implementation of stronger harm minimisation measures, which I will touch on shortly.

Everyone working in or operating a business in the gambling industry must follow the current laws about gambling. This includes out-of-state operators or providers that offer gambling services to Victorian residents. Ensuring integrity and minimising harm are twin pillars of Victoria's gambling regulation. The purpose of amendments such as these is to promote responsible gambling, to minimise harm caused by problem gambling and to accommodate those who gamble without harming themselves or others, as well as to ensure that gambling is conducted honestly and free from criminal influences and exploitation.

Significant work has already been undertaken to further advance approaches to risk-based regulatory oversight of the gambling industry in Victoria, but it is crucial that we continue to identify and respond to new and emerging risks, particularly in the online environment and the continued creation of new gambling products, channels and markets. This bill makes important changes to the legislative framework for the gaming machine monitoring licence and the public lottery licence to provide flexibility for the government in future licensing processes to yield the best outcomes for the state.

The gambling industry underwent a major reconstruction in 2012. A new gaming machine industry structure was created, which allowed venue operators to operate the gaming machines in their venues. Further, a new monitoring licence was created to provide an independent monitoring service for gaming machines. It was the then Minister for Gaming who issued a licence to Intralot Gaming Services Pty Ltd, IGS, to provide an electronic monitoring system. This monitoring licence lasts for 15 years, and all poker machines in Victorian venues must be connected to this system. The licence expires in August 2027. The licence requires IGS to conduct monitoring services and carry out any activities, maintenance and other work necessary to ensure the continuous and uninterrupted operation of poker machines or systems. It is also responsible for the detection and continuous recording and monitoring of significant events. This can act as a critical tool in detecting both money laundering and gambling harm risks.

As part of the monitoring licence, IGS also delivers the statewide precommitment scheme YourPlay. By introducing this system of account-based play on gaming machines across Victoria, we are putting the power back in the hands of patrons. We want patrons to make sound financial decisions and be able to take responsibility for their own gambling for themselves, without veering off out of control. When that happens the cost is more than wasted money and financial distress. It brings severe mental health concerns, relationship strains and issues, with damages ripping throughout your social life. The Allan Labor government is serious about addressing the harms of gambling, and giving patrons more control over their financial state and how much they end up spending is a step closer to them self-regulating. The system introduces certain limitations on players so that they do not endlessly sit at the machine burning through cash. Instead, it empowers them to take greater control over their finances by imposing limits on themselves prior to commencing a game. This is a carded precommitment scheme that allows players to set time and spending limits, which empowers them to stay in control of their play.

While using YourPlay is optional for players, it is mandatory for venues to have it installed and available on all electronic poker machines across the state, including the casino. YourPlay users can see live action summaries tracking the money and time they spend on the display screen at the gambling machine. Those who have spent their limit receive reminders before and when they reach the limit, empowering players to make an informed decision about their gaming machine play. This emphasises the importance of harm minimisation in gambling and this government's commitment to addressing the underlying causes of gambling addiction.

No government in Australia has done more to prevent gambling-related harm than the Allan Labor government. We know the impact gambling harm has on our community. Estimates suggest that Australians lose approximately \$25 billion on legal forms of gambling each year, representing the largest per capita losses in the world. Research conducted in 2022 found that almost 46 per cent of Australians aged 18 or over who gambled would be classified as being at risk or already experiencing gambling harm. If nearly 50 per cent of the people who gamble are considered at risk of gambling

harm or worse, then the situation has gone too far, and it is on the Parliament to do our job as legislators and intervene with regulations that protect members of the public facing gambling harm. It has also been increasingly recognised that gambling-related harm affects not only people who gamble but also their families, their friends and the wider community.

The bill before us will amend the requirements of the term of the monitoring licence to replace the current fixed term of 15 years, allowing for provisions that enable the licence term to be specified in the licence. This will enhance the government's ability to determine the most appropriate licence term at a given point in time, as reflected by the best available evidence and understanding of the value of the state. As part of the amendments the government will also be given the power to require a premium payment as consideration for the monitoring licence. Further, the monitoring licence will need to provide regulatory compliance systems and mechanisms to assist venue operators to comply with their regulatory obligations.

I am proud of the Allan Labor government's record when it comes to gambling reform, and I will continue to support the hard work that goes into putting together substantial evidence-based reforms such as the ones outlined in this bill. It is a testament to the reform agenda driving the Allan Labor government, and for that reason I am happy to support this bill.

Rachel PAYNE (South-Eastern Metropolitan) (15:28): I rise to speak in support of the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. This bill paves the way for the introduction of mandatory carded play and precommitment on electronic gaming machines in Victoria. This bill will also increase spin rate limits for new electronic gaming machines, slowing down the rate of play, reducing money laundering and helping to minimise player loss.

We understand that the government's original plan was for a trial of these changes in mid-2025, an introduction of carded play on all poker machines by the end of 2025, a statewide evaluation by late 2026 and a consideration of further changes to things like non-binding precommitment limits in late 2027. The issue with this timeline is clear from the name of the bill itself: the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. This bill has taken over six months to be debated in the Legislative Council since it was first introduced in the Assembly, and it is not as if the government lacks the numbers to pass legislation here. Maybe what they really lack is the willpower – the willpower to meaningfully crack down on addictive and harmful parts of the gambling industry, the willpower to stop propping up their budget bottom line by raking in ever-increasing revenue from pokies taxes and the willpower to say to the people and their loved ones whose lives have been profoundly affected by the harms of gambling, 'We see you, we know we need to change and we will.'

This government has failed to meet its own timeline, and we have no idea what a new timeline even looks like. Victorians deserve to know why this government has gotten cold feet and chosen to delay this critical harm minimisation reform. Accordingly I will be putting forward a number of questions in the committee-of-the-whole stage on this bill. One thing is for certain, these changes will be deferred until well after the next state election. By allowing this delay this government is essentially saying that it does not care about the very real risk of a change of government throwing these changes out. We do appreciate that these are major reforms, but that is all the more reason to get them underway as soon as possible. Crown Casino has already been forced to implement carded play on its poker machines. We need to finish the important work we started here. This bill is before us today because we know how harmful gambling can be, and we know precommitment and carded play are effective in reducing these harms. The existing voluntary scheme has been stigmatising and ineffective. If we are to make changes to address gambling harms, we need to bring everyone along on that journey. Precommitment and carded play empower people to take control of their gambling and know their limits. Norway, the first country in the world to introduce a full precommitment system, saw a great reduction in gambling harms. While this bill by no means reflects all the work still to be done in addressing the harms of gambling both in Victoria and across Australia, it is a step in the right direction.

My colleague David Ettershank and I have stood in this place many times to push for the government to reform and respond to the profound losses that gambling causes. We know that, on average, Victorians spend \$1300 per capita on betting each year, making it the costliest addiction in this state. The knock-on financial impacts and emotional, psychological, relational, productivity and social costs are estimated at \$7 billion. This dwarfs the forecast \$1.5 billion in pokies taxes the government is set to rake in by 2028–29. There is an obvious conflict: this government claim to want to protect vulnerable Victorians while relying heavily on revenue generated from gambling to improve their budget bottom line. When we stood in this place almost two years ago and debated a bill to tighten some of the regulations around casinos, we stated our hope that future reforms would be more ambitious, yet here we are today. We will be supporting this bill, and we encourage this government to implement these reforms as soon as possible. At the very least they must be transparent about why they are allowing the community to continue to be subject to the harms of gambling by delaying these reforms.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (15:33): Thank you to all members that have contributed to this debate on the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024. I know there are a range of strong views on this sector and the reforms that this bill supports. I want to acknowledge the sincere contributions from all members in this chamber, and I also read the many passionate contributions in the other place. As was stated in the second-reading speech and in the debate, this bill creates a framework to support the implementation of elements of the government's landmark gaming reforms. These reforms are about helping to address gambling harms and prevent money laundering. This bill builds on and complements other reforms that our government has already done and is implementing to reduce gambling harm, including mandatory closure periods between 4 am and 10 am in pubs and clubs across our state and reducing load-up limits by 90 per cent, from \$1000 at a time to \$100 at a time.

We were also clear that we would be working closely with industry and stakeholders on the implementation, because these reforms need to work in practice. Given where we are in the year, recent developments in technology and evolving approaches in our bordering jurisdictions, we will need to revisit the implementation timeline for elements of these reforms. We will do that in consultation with stakeholders and the industry. I want to especially acknowledge the constructive engagement from members on all sides of this debate, in particular the opposition, Ms Copsey and other members of the crossbench. Many have been working with me and my office to make sure that we land this legislation appropriately and strike the right balance. We remain committed to these reforms to help address gambling harm in a sustainable and sensible way, and I invite everyone in the chamber to join the government in passing this bill. As part of this, we do have some targeted amendments that reinforce the purpose of the bill and seek to address the concerns raised by stakeholders and in the Assembly. I would like to circulate the amendments in my name now.

Amendments circulated pursuant to standing orders.

Enver ERDOGAN: As we have discussed before, this bill will create a framework to support a staged implementation of these reforms that will be done using a combination of regulation-making powers and a proposed ministerial direction. They work together, as the proposed stages of the implementation make use of both the ministerial direction and the regulation-making powers. Under the existing Gambling Regulation Act 2003 those regulations will be subject to parliamentary scrutiny as governed by the Subordinate Legislation Act 1994. Because the implementation of these reforms relies on the regulations as well, that means they will be subject to parliamentary scrutiny. This house amendment puts that beyond doubt by ensuring that all the relevant powers are individually subject to parliamentary scrutiny. In the bill that is achieved by removing clause 11 and expanding clause 12. That effectively relocates the proposed precommitment direction from a standalone subsection, section 3.8A.2, to a direction for player accounts in section 3.8A.13A. The expanded clause 12 also sets out the process by which Parliament can revoke a direction, which is consistent with the existing

approach for the regulations. As I said at the outset, this is a targeted amendment designed to clarify and improve parliamentary scrutiny. I commend this amendment to the house.

Council divided on motion:

Ayes (35): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaëlle Broad, Katherine Copsey, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Anasina Gray-Barberio, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Noes (1): David Limbrick

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 (15:44)

Evan MULHOLLAND: Minister, the second-reading speech of the bill outlines a timeline for implementation of mandatory carded play. That timeline would appear to have slipped. What is the government's current proposed timeline for these reforms?

Enver ERDOGAN: I thank Mr Mulholland for his question and his interest in this bill, and I thank him also for his thoughtful contribution during the debate. It is clear that the original timeline envisaged that we would be starting trials or pilots by May or June this year. As we are still debating this bill in the chamber today, that indicative timeline set out in the original second-reading speech is not appropriate, and it would not be appropriate for me to pre-empt the passage of this bill through the Parliament today, per se. What is clear is that we will not be able to start the trial of casual cards in May 2025. Should the bill pass today, we will work through the development of ministerial directions and supporting regulations before the first trial can happen, and we will be consulting with industry and stakeholders on a new timeline for implementation. That is consistent with what we have said about working closely with the industry and other groups to implement these reforms in a balanced and effective way.

Evan MULHOLLAND: What do you envisage to be the expected – I guess, revised – timeline for the implementation of casual cards?

Enver ERDOGAN: I think the initial plan was a trial in the middle of this year. I would still hope to have a trial in place later this year, so I would still stick to 2025 for an initial trial of casual cards. But of course, we will consult with the stakeholders and industry on a new implementation timeline, taking into account that we now have a new starting point.

Evan MULHOLLAND: Thank you. The second-reading speech notes that some changes may be held until the new monitoring licence is in place in 2027. Would it not make sense to delay the full implementation of these reforms until this has occurred? It would seem pointless to implement a new regime that may be outdated or superseded by better technology, ideas and innovation under a new monitoring licence.

Enver ERDOGAN: Thank you, Mr Mulholland. The short answer is that the full implementation of these reforms will not happen before the new monitoring licence is in place now. As I have said, we will consult with stakeholders on a new implementation timeline, taking into account this starting point. But I also want to be clear that I want to explore a more technology-neutral approach. That does not mean that physical cards will not have a role to play, but there are useful lessons from proceeding

with trials, I think, in the current environment. There will be some people who do want to use cards, so we need to be, as I said, technology neutral, taking into account that some people, going forward – and we are seeing across society the old cards being less and less used, and people are moving towards cardless options. But I think we need to be flexible for both approaches.

Evan MULHOLLAND: Will further trials and evaluations be required of a new monitor?

Enver ERDOGAN: Yes, there will need to be trial testing and evaluation, which will not be completed by 2027.

Evan MULHOLLAND: Will the minister commit to an evaluation of alternative technologies, including facial recognition technology and automated risk monitoring, to address problem gambling before the full implementation of carded play?

Enver ERDOGAN: I personally am keen to see a trial of facial recognition technology as part of a phased implementation approach, to see what technology can best support these reforms and reduce gambling harm. There may be a role for facial recognition technology – in particular, to support self-exclusion. Anyone who understands how self-exclusion works at the moment knows there are about 13,000 Victorians that signed up themselves. They admit that they have an issue that they want to address and they do not want to be at these premises, so they sign up. But it is a manual process – you actually have to go through a book or a manual screen. Obviously, for any staff member, it would not be physically possible to remember 13,000 faces and implement that. So I think there is a role for facial recognition technology, but I would like to see a trial first.

I would like to look at other jurisdictions and what they have implemented to see how that may work and/or how it may be complementary. I have already asked the department to work with the sector to enable venues to implement facial recognition in a manner that improves patron safety, ultimately. We are also looking to mitigate the real privacy concerns – some of the concerns that Mr Limbrick touched upon.

Evan MULHOLLAND: You kind of touched on it, but would the government consider an evaluation of the South Australian model of regulation of pokies and gambling harm?

Enver ERDOGAN: Yes. I think technology neutral means we should look at the best practices nationwide. I do understand, in addition to South Australia, New South Wales had their own inquiry and they are leaning towards a facial recognition role, potentially with third-party exclusions as well. I would be interested in having a look at them, but obviously South Australia have already rolled out their facial recognition technology and have kind of a central system for that. I would be interested to look at that and get as much information about it, and it may mean that I will go to South Australia to see how it has been physically implemented during this time.

Evan MULHOLLAND: One thing that was raised by me and I know Mrs Broad as well from the National Party is that border clubs face a very real risk of significant financial harm and ongoing harm for problem gamblers travelling across the border if Victoria implements a policy that is not replicated across the river. How will the minister address these concerns?

Enver ERDOGAN: I thank the opposition for their constructive feedback in relation to this. I think this is a very real issue. I know as minister I have had a lot of feedback from the sector about the potential impacts – because we know that for a lot of these communities the federation borders do not necessarily reflect the way the communities move – that this would have on those businesses and those communities in terms of harm minimisation. We are looking at that, and that is why we will have a look at what has happened in South Australia and New South Wales. New South Wales still has not finalised their position, but it is clear which direction they are going.

I guess one of the challenges with border towns always is if we do end up with a completely different system. The legislation allows flexibility to set different rules in different parts of the state, but then

all you are doing is shifting the border for these changes. We need to have a look at where New South Wales lands in the implementation of our own plan.

Evan MULHOLLAND: Will the minister work with his interstate counterparts to attempt to harmonise the regulation of EGMs nationally or at least with our direct neighbours? You have kind of answered it, but I guess you can give it a go.

Enver ERDOGAN: I know my office and the department have already reached out to the New South Wales minister's office about their reforms. I am interested in what is happening in South Australia as well. I think it is important that we do look at that. I know as a personal injury lawyer in my previous career I loved uniform laws because they create a level of consistency, and obviously it is easier to educate the public when the rules are similar. But I will look at opportunities to harmonise approaches where we can, keeping in mind achieving our policy objectives is the goal. There is a whole range of aspects to regulation in different states that are not exactly the same and we have got to take into account those differences, but I will look at harmonising opportunities where we can.

Evan MULHOLLAND: Is there a resourcing allocation for awareness or education campaigns around these changes?

Enver ERDOGAN: Initially there will be a trial, and the initial trial will involve venues that will need to participate in this trial. There will be resourcing in terms of the department will be present and assist the venues with this trial. I do not want to pre-empt Mr Mulholland, but I have had this feedback from a number of people: there will not be compensation for clubs or hotels that must participate in this trial.

Evan MULHOLLAND: I completely understand that. I meant education campaigns for problem gamblers.

Enver ERDOGAN: We already have dedicated programs for gambling harm, and much of it now sits with mental health since the reforms we have had. There is ongoing education work to be done in this space. I know during the debate you raised about it being in language. I know that we do advertising in language. We have got about 13 languages existing where there is a harm minimisation message in language. There is always more work to be done in this space. That is clear. I think that we all know, being in the north, that the level of harm caused in our communities is very real, especially multicultural communities. It deeply affects so many people and it touches so many lives. I think these reforms are really important in doing that work. But in terms of our rollout of the trial, there will be educational work in the areas that are chosen to participate in our trial – about what we are proposing at the trial – and support for the venues in terms of having people to do some of that work, but there will be no proposed compensation for venues.

Evan MULHOLLAND: You kind of pre-empted my next question. I just want to touch on – in particular for our CALD communities and multicultural communities – if you envisage or have oversight or can see a role for dedicated communication efforts and education efforts into our multicultural and multi-faith communities and also whether you will give thought to looking at where some of the highest LGAs are for gambling harm, such as Whittlesea and Hume, when looking at determining where a trial might be.

Enver ERDOGAN: I thank Mr Mulholland for his really inquisitive, I might add, question. It is a really important issue, and there are so many points to that, but I will say definitely in Hume and Whittlesea. We have seen the geographic impact, especially in our outer suburbs. There is a cultural overlay to that work. I think it is something we should put some serious thought into. I know well, in terms of the further development in this space, having been five, six months in the portfolio, there is always room for improvement. In the language education I felt like we did a really good job as a state government in terms of getting out our message with the COVID pandemic. That was very targeted – in language, very specific – and that was a combination of social media, I recall. For those of you that may not know, I can also read and write in Turkish and in Kurdish, so I was getting a lot of Turkish

ads, surprisingly, on YouTube. The algorithm picked up on COVID information. So clearly there is something – for people that maybe attend venues – in language, and there is work to be done in the way we get digital information out as well as physical material. I think there are opportunities really for partnerships. Some of the grassroots work we did was really instrumental during the pandemic, when I reflect on directly engaging those community groups – I am talking the faith groups, the community groups, and having them work and send a message about gambling harm. They already do that anyway, as you and I both know.

I think one of our friends, Joseph Haweil – he is an advocate in the Assyrian community in the north. When he was mayor of Hume city, he talked about these issues in his community. So I think there is a lot of work to be done in this space, and I think these should be explored. Again, I do not want to pre-empt the passage of the legislation today, but once the legislation is through, we can do that work. Then we will have a firm commitment of this legislation being in place and we will need to do this work to line it up with implementation. I think gambling harm affects so many people. I will say on record that 10 per cent of Victorians play pokies, but obviously there are other forms of gambling. It is a legal industry, I will add, but the actual harm element is very serious and very real, and that is why today's bill is so important.

Katherine COPSEY: Minister, you have spoken positively just now about the use of facial recognition technology in venues. Can you please confirm that during the trial rollout period you are going to have measures available to users of poker machines who do not wish to be subject to facial recognition surveillance so that they can still access the benefits of the government's mandatory carded play scheme?

Enver ERDOGAN: I think in terms of the initial trial we are committed to doing a trial into carded play. The goal is: later this year. I have always been sensitive as well, with the balance, that we will not have it during the Christmas period, because that is the peak season for a lot of the sector – the peak holiday season, effectively – but will try to do it this year with carded play and thereafter, at some stage after, look at other technologies and see what is happening in other jurisdictions. Facial recognition has been one option that has been raised. There might be other technology options available, but facial recognition technology seems to be one. I think there are definitely privacy concerns, and there are a lot of court cases. There is a court case in regard to these issues. That is why we need to look at what has happened in other jurisdictions to see how it could be trialled here at venues. I think that needed to be worked through, about how it would be put in place to make sure the safeguards were there, before that trial went ahead. We were much more prepared for the carded play trial because obviously that was initially supposed to happen now, but now it has been pushed back to later this year. For the other technology options, I think more work needs to be done before that trial can roll out.

Rachel PAYNE: Minister, you have discussed the timeline, and I think it is worth also noting that this bill was introduced in November last year and is only now being debated, meaning the government have missed on their deadline for trialling some of these changes. Is the minister happy to provide reasons for this delay?

Enver ERDOGAN: As I outlined in my summation of the legislation, it has been a bit of a journey. I know that since the announcement many of the stakeholders have shared their concerns with me about the time – that the initial announcement was obviously in late 2023, legislation was to be approved late last year and now we are here in May. It is important to understand that with recent developments in technology, given where we are in the year and with the evolving approaches of bordering jurisdictions, we do need to look at our implementation plan. Initially there was some talk of New South Wales going down the same angle as us. Now they have taken a different approach, so we need to consider that as well. As a member of the upper house, Ms Payne, you would appreciate we have had a very busy legislative agenda in the upper house during this time. We have only had a few sitting weeks, but we have had quite a few 2 am, 3 am finishes in between our tough new bail laws and our fire services levy debate amongst many others, and planning discussions on housing.

There have been a lot of long debates in this chamber. It is not from a lack of wanting. We have been wanting to debate this legislation. I know you have been very keen also. But I am glad we are here today, and without pre-empting the debate, if we can pass this legislation today, then we can get on with it.

In the meantime, we have already done a lot of work in harm minimisation, I might add and remind the chamber about. It was our government that set the closure laws for pubs and clubs from 4 am to 10 am. I think that was really crucial, because we had heard stories, and many of you I am sure had heard them as well, about clubs having different closure times so people could hop between venues. We have ended that practice in our suburbs and our city and our state. Now we have got the next stage of this work, which is the implementation of the account-based play and precommitment.

Rachel PAYNE: Minister, thank you for your response there. You just raised the fire services levy and more broadly questions of budget. The recent state budget assumed that there would be an uninterrupted flow of taxes generated from poker machines. This revenue was projected to grow to \$1.5 billion by 2028–29. Was the budgetary impact a determining factor in delaying the passage of the bill?

Enver ERDOGAN: Ms Payne, that is an interesting question. Broadly speaking, I feel like budget discussions are outside the scope of this legislation and that we will have that opportunity in the coming year. I know that it is being debated in the other place as we speak, so we will get an opportunity. I do not want to pre-empt the debate in this chamber, but what I will say is from my point of view there were no budgetary considerations. It was all about the implementation and to make sure we strike the right balance. I want to be very clear: this delay is not about budget. To be black and white, this is about delivering on our commitment to work with industry and stakeholders to ensure the reforms are effective and stand the test of time, and that is why I talk about an account-based and also a technology-neutral approach.

Rachel PAYNE: Minister, thank you for your response there. You mentioned timeline earlier, and the timeline provided for in the second reading of the bill included a pilot for these changes in mid-2025, an introduction of carded play requirements on all poker machines by the end of 2025, a statewide evaluation by the end of 2026 and consideration of further changes to things like non-binding precommitment limits in late 2027. Can the minister advise by how long each of these stages are likely to be delayed, and when will the updated timeline be published?

Enver ERDOGAN: In relation to the timeline, I think our second-reading speech did provide an indicative timeline, but I have got a nice quote from it to show that today's reforms are reflecting the second-reading speech. The former minister in the other place said:

In recognition of the weight and complexity of the reforms, the Act enables the Minister to conduct pilots, learn from the implementation and be responsive to these lessons.

In this way, the amendments provide maximum flexibility for implementation of the reforms, embedding the opportunity for continuous review and improvement ...

Then she goes on. I believe that was indicative, but since then obviously the landscape has changed and we are in a different timeframe. But I still want to see the first trial of carded play at a number of venues in a geographic area this year. I think we still stick with this year. What will come out of that is really difficult to predict, because we also want to have an evaluation following that process. We also want to try some of the other technological options that are available and that are being implemented across the country. There will be further work on a timeline. It is always difficult to predict. I do not want to pre-empt that work of the initial trial evaluation, but we will have a new timeline.

Evan MULHOLLAND: Just a couple more questions. How do you envisage the trial will run and how will you get venues to take part?

Enver ERDOGAN: What I have seen is that there is strong support from the sector for the harm minimisation efforts of our government, particularly in terms of minimising harm for patrons so they can gamble responsibly. I do want to thank the sector for their feedback in relation to that. Responsible venue operators know how important it is to be involved in these reforms. I think these reforms also give them an advantage of learning the lessons from this kind of technology and also an opportunity to engage with patrons during that time. The department is still working through the detail. What I envisage from early discussions, because we have not settled any of this, is that we would pick a geographic area or areas and focus on a rollout of carded play with venues in a geographic area. But the final call on how many venues or how many locations has not been made yet. Following the passage of this legislation that will be something that the department will make recommendations on.

Evan MULHOLLAND: Obviously new technologies, cards and facial recognition trials do not pay for themselves. Who pays for these reforms? Is it the government or is it the clubs?

Enver ERDOGAN: As I stated earlier, we will be working with the industry to implement these reforms. We already have carded play and the technology in place in Victoria, so that will be a bit more straightforward, because the venues have that existing technology in place. But we will take into account options to leverage existing technology, and that is what we will do. That is why the first set of trials will be a bit more straightforward. We should not need any kind of infrastructure investment, so to speak, because that technology is in place. But I think it is important that we do work with the sector. I want to work with them about what are the best options, and obviously there is a potential for costs if we go for some of the other technological options in terms of the trial, and those details are to be worked through. We have not made a decision about any other technologies. But the carded play one will be a minimal cost to the sector because that technology is already in place.

Just on that point, Mr Mulholland, I think it is important to state that we will avoid the peak season. I know this sector is very cyclical and seasonal, and I think it is important that we do avoid the Christmas period, which is obviously very busy and their peak season for earning an income, so we need to take that into consideration too. So avoid the peak periods, leverage the existing technology for the first trial, but going forward there will be an ongoing discussion.

David LIMBRICK: I have a question about the amendment that was circulated earlier if that is okay. One of the main things that this amendment does is allow parliamentary scrutiny through disallowance. My question is: can the Governor in Council exempt these regulations from disallowance motions under section 28(1)(ab) of the Subordinate Legislation Act 1994?

Enver ERDOGAN: I am advised no, Mr Limbrick.

David LIMBRICK: Thank you; that is good to know. I have another question, and this will probably be figured out in the trial I imagine, but we have, as Mr Mulholland pointed out in his speech, casual players. I would also point out there are many tourists that use these things, and they may find that the barrier of signing up for a card and precommitting and all that is all too much. Will the effects on tourism be taken into account in a trial like this? It seems to me that it would have some effect on tourism at these venues.

Enver ERDOGAN: Yes, I think the venue with the greatest implementation of some of these reforms is Crown Casino. Obviously we had a royal commission which was quite damning of the casino. As a result of that we have implemented some stringent gambling harm minimisation measures but also money-laundering measures. As part of that I know at Crown they do have now a requirement for non-Australian citizens to provide photo ID, which usually means a passport, and a lot of tourists will not necessarily carry that with them. It has had an impact on their bottom line. That is the only example I can refer to. We have not had this in place in clubs or pubs before, but we have had it in place in Crown, and it has had a big effect on the casual tourist looking for entertainment.

Katherine COPSEY: Minister, you spoke a bit before about evaluation of the trial. Will there be an independent evaluation of the carded play trial? Who will conduct it, and will the results be tabled in Parliament?

Enver ERDOGAN: The intention is that the evaluation will be conducted by the Department of Justice and Community Safety. There is also a consultation group that is supporting the implementation of these reforms, and they will be consulted on details of the trial. This is not something that would normally be tabled in Parliament. I would not expect it to be, in the normal course of events.

Katherine COPSEY: Minister, would you make an undertaking to make the findings public?

Enver ERDOGAN: I cannot commit to that, Ms Copsey, as we are still working through the details of the implementation plan in light of the revised way forward.

Katherine COPSEY: Minister, how are you going to be defining success of the trial? What will be the key metrics? Will they include, for example, reductions in gambling losses, in help-seeking behaviour from users and in suicidality, or will there be other metrics?

Enver ERDOGAN: I think those factors will still be worked on, but it is clear that the primary focus is about making sure that the technology and the monitoring system can work together as intended. We need to understand as well for the purpose of this legislation that these are legal sectors; it is about providing harm minimisation so that people can make informed choices. That is why precommitment is an important part of it. People setting their own limits is also part of that, as well as the slower spin rates, to minimise where people can get caught in that cycle. Ultimately the focus of the trial is about ensuring that the technology and the monitoring system can work and support an effective transition for venues and players.

Katherine COPSEY: Minister, can you explain how people will be protected from predatory tactics or inducements to override or increase their precommitment limits once they are at a venue? What safeguards will be in place to ensure that people are encouraged to set and stick to their precommitment limit?

Enver ERDOGAN: I think it is envisaged that gaming machines will not be permitted to operate if they are not connected to the precommitment system. I think it is also important to understand, as part of this trial, that we see what is the best way forward in relation to those precommitment systems. I do not want to speculate, but I think we have already made reforms that in terms of creating load-up limits from \$1000 down to \$100 create that break for players to consider their actions. In terms of people setting limits, that is why I like account-based play. Some gambling sites already have this in place, where you have to set a limit before you play. How we implement it in terms of the technical details is something to be worked on through the next few phases and through the trials. But the initial trial will be focused on mandatory carded play. That will be the initial trial before the precommitment trial. I think we need to work through the stages before we get to what is the best way to implement that.

Katherine COPSEY: Minister, can you confirm that when people set limits on their cards this will be aggregated and applied across different venues should they go from one venue that has got carded play to another?

Enver ERDOGAN: Yes. I think that is definitely a really good point, Ms Copsey. I think the goal is to have one card linked to a central system that could be used at all venues. I asked this of the department the other day just to check. If you have got one card at one club, it will be across the whole state system, except for Crown, because Crown actually has a higher level of verification for you to be able to get one of their cards, in light of the royal commission. So, yes, it will be one card across the state, so if you have spent \$100 at one venue you cannot go to the next venue and spend another \$100 if your limit is \$100.

Katherine COPSEY: Minister, what safeguards will you be putting in place to prevent the misuse of player data by operators for marketing or behavioural targeting to try and get people to gamble more?

Enver ERDOGAN: That is a really good question. I think Mr Limbrick has got an interest in this issue, because he made a point of it during the debate. But I will say that all necessary steps are being taken to require that only the minimum level of personal information is collected while ensuring the effective operation of the precommitment system. As I understand it, there are already strict data restrictions on this stuff, and the precommitment system will be subject to the Australian government's Privacy Act 1988 – the Commonwealth legislation – and relates to the Australian Privacy Principles, which regulate the way personal information is handled in Australia. This includes the requirements for collection, storage, use, disclosure and destruction of personal information. The Gambling Regulation Act 2003 also protects precommitment information where money laundering or other illegal activities are detected. De-identified data will also only be used for specific purposes such as research. Any data access by the government is de-identified. Individuals will not be contacted based on this data about their gambling unless they opt to receive their annual activity statement via post or email, so that will only be if they opt in for information about how much they have spent throughout the year. But it should not be used for marketing or any other purpose.

Katherine COPSEY: I think you touched on my next question there, which is around the de-identified data and its availability. Will limited de-identified data be made available for public health harm reduction researchers? If so, what kind of governance and ethics framework will govern the release of that information for research purposes?

Enver ERDOGAN: We already fund a number of research projects in relation to this area. Let me just get clarification on whether this data is already provided for research purposes strictly.

There already exists a data committee, which is a combination of the Victorian Gambling and Casino Control Commission (VGCCC) and the department, and for people undertaking research in this area there is an existing right to apply to get that data – in a de-identified way of course.

Katherine COPSEY: Thanks for checking that. I just want to ask quickly around some of the anti-money-laundering aspects that this system can assist with. Have you already consulted with AUSTRAC, or will you undertake to consult with AUSTRAC, and how will the mandatory carded-play system support or integrate with AUSTRAC's efforts to track suspicious gambling-related activity?

Enver ERDOGAN: I can confirm that the department and the VGCCC consult and cooperate with AUSTRAC as we speak. That work is ongoing; it is not just a one-off. My expectation is that that would continue with the rollout of carded play. Information from the monitoring licensee can be used to support AUSTRAC's efforts. These reforms obviously will make that more effective, because if there are more people on the system that use account-based play, then AUSTRAC can monitor those accounts. At core that is a matter for AUSTRAC and VGCCC. They are the main regulators in this space and they are responsible. This bill will help their efforts to stop money laundering, and that is their work. VGCCC and AUSTRAC will do that work. Having account-based play will make it easier for them to track where there is unusual activity.

Katherine COPSEY: There are no stronger anti-money-laundering reforms in this bill, such as banning cash input entirely or requiring ID to be provided at lower transaction thresholds. Why have you chosen not to pursue those within this legislation, and are they the sorts of measures that could be investigated as well through the trial period?

Enver ERDOGAN: I would say there are very strict money-laundering measures against cash in this bill. You would notice that one of the amendments we make is a \$2000 limit. If you want a payout of more than \$2000, you have to show photo ID. Beyond harm minimisation, that is an anti-money-laundering scheme that we have put in. Anything above \$2000, you have to show ID. I think that will

assist. I do take your point that there is always more that can happen in this space, but I think account-based play, in that direction, does make the job of AUSTRAC and the VGCCC a lot easier in itself.

You were talking about cashless play, but we are setting limits of \$100 at a time. That is quite onerous. There has been no proven money laundering in pokie venues. I must admit there was at the casino, and there have obviously been some anecdotes from other jurisdictions. In Victoria we saw that this was an issue especially at Crown Casino, but there has not been any proof of that in our pubs and clubs across the state. I think the \$100 limit in itself, reduced from \$1000, is harm minimisation and it does reduce the risk of someone trying to use this avenue to money launder.

Katherine COPSEY: In rolling out these reforms will local governments or public health partnerships have any role in oversight, monitoring or implementation of carded play and associated education at venues within their region or area of operation?

Enver ERDOGAN: I need to be clear that the bill does not change the role of local governments. The state's monitoring licensee has the formal role to monitor EGMs across Victoria. The independent regulator, the VGCCC, also has a role in enforcement, and the department's own community advisory group does include representation from local government peak bodies such as the MAV and VLGA and community organisations. They will continue to play that role. I think they play a really important role. Some of the lead advocates in this space are from the local government level; Mr Mulholland touched earlier on Hume City Council's role. I know Monash City Council has been very vocal. There is definitely a role for them, and it will continue as is.

Katherine COPSEY: Just a couple more questions now on regulation, offences and accountability. What enforcement mechanisms do you expect or predict will apply to venues that fail to comply with carded play or precommitment obligations? Will penalties around that be automatic or will they be discretionary?

Enver ERDOGAN: From the outset, I think gaming machines will not be able to operate without being connected to the central precommitment system. There will be penalty units that will apply, and the VGCCC will have other enforcement powers as well, and discretion as to how they exercise those powers and to what extent. Of course the VGCCC has quite wide-ranging powers. It is, I would say, the toughest regulator in the nation, so that could mean people losing their licence to operate – but that would obviously be for quite a significant breach, if that were found. But the VGCCC will have the tools it needs to penalise people.

Katherine COPSEY: Just on the VGCCC's resources and powers: will the VGCCC be fully resourced and empowered to audit, investigate and penalise noncompliance under this scheme? And can you share – this is an increase to their remit; do you plan to resource them accordingly?

Enver ERDOGAN: I think the scope and operation of the VGCCC is something that obviously will need to be reviewed as part of this. It is a relatively new entity and is coming into the role at a unique time, so we have just seen the growth of the entity. Definitely a review of purpose and a review of resources is something that I know the department will work on with the VGCCC. It is an independent body, but I think it is something that needs to be looked at, especially considering the workloads that this may bring upon that agency.

Clause 1 agreed to; clauses 2 to 10 agreed to.

Clause 11 (16:27)

Katherine COPSEY: I move:

1. Clause 11, lines 30 and 31, omit "A direction under subsection (1) may include a direction" and insert "On or before 1 December 2027, the Minister must give a direction under subsection (1)".

I will speak briefly to both amendments, which are similar in their intended effect. Essentially, as I spoke to in my second-reading speech on this bill, the Greens are very supportive of the government

exploring carded play and mandatory precommitment, which we know is a proven harm reduction measure and has been called for by advocates for years. We are similarly concerned, like other members who have made contributions in this debate, at the slippage we have continued to see since these reforms were announced in July 2023. These amendments were an attempt to come to an agreement with the government about a date by which we would be able to see carded play implemented in Victoria. The date that we were in discussions with the government about was on or before 1 December 2027. As has become clear through discussions today, I gather that the government is not in a position to commit to full implementation by that date.

We have had some more clarity from the minister about the government's current intended timeline. I must say, though, it is concerning to hear this assertion that we are now starting from a fresh start. Actually, the government's commitment to these reforms is over two years old. I understand the minister's contributions that the Parliament has had other pressing matters to deal with and that the chamber has been kept busy. That may be the case, but these are really urgent reforms. I outlined in my speech the losses in the hundreds of millions that are occurring within LGAs such as Hume – \$122 million – within the minister's own electorate. We know the harm has been going on for decades and is compounding every month that we fail to see these reforms implemented.

Mechanically, the way that these amendments work is to require the minister to provide directions by 1 December 2027, and also to require the regulations to come into effect by 1 December 2027. That was the form and the intent behind the Greens amendments. Just in closing on this topic, I really urge the government to redouble its efforts and its commitment to implementing these reforms. The powers are in your hands now, Minister, and the only way that communities will actually see the benefit of these reforms is if carded play with account-based, ID-linked mandatory precommitment is rolled out across venues across this state. I urge you to get to that task with haste.

Enver ERDOGAN: I just want to thank Ms Copsey for her amendment. I will state that the government does not support this amendment. We believe we have struck the right balance here in this bill. As was the initial purpose with the second-reading speech, we feel that the current legislation provides flexibility for implementation of the reforms. I think it is important to also note that our commitment always was to roll it out in consultation with stakeholders in the industry. We will have a new timeline, but I think it is important that the harm minimisation work does not end today. I think the point I was trying to make was that I guess this is a fresh start in terms of a new stage of that work, because I would say that a lot of the work has been continuous, especially the work we have done on the closure times that we have already implemented for clubs and pubs across our state. I think the increased spin rate and the load-up limits coming down from \$1000 to \$100 at a time will all have a big impact from 1 December, and we will see that hopefully reduce harm. But there is a lot of work to be done.

I do want to make sure that we have legislation in place and a system in place that do stand the test of time and look at the technologies available. But I do hear your point about the need for account-based play. It already exists in many other forms for people that might have app-based gaming. So there is a way forward, but we have got to make sure it is done with the right technology and implemented so it stands the test of time. So unfortunately the government cannot support the amendments proposed by Ms Copsey. As I said, I think I have already touched on the point that it will reduce load-up limits and spin rates. I feel like we have struck the right balance with our legislation as it is.

David LIMBRICK: The Libertarian Party will not be supporting this amendment either. I do not think I have ever seen a government IT project run on time, so I think the government even completing this project will be a triumph of the government. So enforcing a shorter timeframe I think only causes even more trouble. The Libertarian Party will not be supporting this amendment.

Evan MULHOLLAND: The Liberals and Nationals will not be supporting this amendment.

The DEPUTY PRESIDENT: The question is that Ms Copsey's amendment 1, which tests her amendment 2, be agreed to.

Council divided on amendment:

Ayes (6): Katherine Copsey, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Harriet Shing, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt, Richard Welch

Amendment negatived.

Enver ERDOGAN: I will keep it very brief, just to say that this is a targeted amendment that reinforces the purpose of the bill and seeks to address the concerns raised by stakeholders and in the Assembly by the opposition. This house amendment puts it beyond doubt by ensuring that all relevant powers are individually subject to parliamentary scrutiny. This is a targeted amendment designed to clarify and improve parliamentary scrutiny, and I commend it to the house. I invite members to vote against this clause.

David LIMBRICK: The Libertarian Party will be supporting this amendment. We think allowing disallowance of these regulations is a good improvement, and hopefully if the government of the day comes up with something which is considered by Parliament to be a bad thing, such as poor use of facial recognition technology or something like this, then it is good that it can be disallowed. So the Libertarians will be supporting this.

Katherine COPSEY: The Greens will be supporting this government amendment. We take on board the government's statements that this is a clarifying amendment and that the revocation would have still been possible; however, I think it is good for clarity to put that beyond doubt.

Evan MULHOLLAND: As per our advocacy in the Assembly and in the Council, the Liberals and Nationals will be supporting this amendment.

The DEPUTY PRESIDENT: The minister is actually seeking to omit the clause, so the question will be put about the clause standing part of the bill, and if you are supporting the minister's amendment, you need to vote no to the clause.

Clause negatived.

Clause 12 (16:43)

Enver ERDOGAN: I move:

2. Clause 12, line 9, omit "section 3.8A.13A" and insert "sections 3.8A.13A to 3.8A.13C".
3. Clause 12, after line 11 insert –

"3.8A.13A Direction for player accounts

- (1) The Minister may, by instrument, direct the monitoring licensee to ensure that a person cannot play a game on a gaming machine in an approved venue unless a player account has been established for the person.
- (2) A direction under subsection (1) must be –
 - (a) given to the monitoring licensee; and
 - (b) published in the Government Gazette.
- (3) It is a condition of the monitoring licence that the licensee must comply with a direction under subsection (1).

- (4) A direction under subsection (1) may apply on different days in relation to different geographical areas, different venues or different gaming machines.

3.8A.13B Tabling and revocation of direction by Parliament

- (1) The Minister must cause a direction under section 3.8A.13A to be laid before each House of the Parliament within 10 sitting days after the direction is published in the Government Gazette.
- (2) A direction under section 3.8A.13A is revoked in whole or part if –
- notice of a resolution to revoke the direction is given in a House of the Parliament on or before the 10th sitting day after the direction is laid before that House; and
 - the resolution is passed by that House on or before the 12th sitting day after notice is given under paragraph (a).
- (3) If a direction under section 3.8A.13A is revoked under subsection (2) –
- any provision of a previous direction under section 3.8A.13A that had been revoked by the direction comes back into operation from the beginning of the day on which the direction is revoked; and
 - any provision of a previous direction under section 3.8A.13A that had been amended by the direction takes effect without that amendment from the beginning of the day on which the direction is revoked as if the amendment had not been made.
- (4) The Minister must publish a notice of the revocation of a direction or part of a direction under subsection (2) in the Government Gazette.’
4. Clause 12, line 12, omit “‘3.8A.13A’ and insert “3.8A.13C”.
5. Clause 12, lines 15 and 16, omit “referred to in section 3.8A.2(1A) is in force” and insert “is in force under section 3.8A.13A”.

Amendments agreed to; amended clause agreed to; clauses 13 to 15 agreed to.

Clause 16 (16:43)

Enver ERDOGAN: I move:

6. Clause 16, page 9, line 10, omit “3.8A.13A(3)” and insert “3.8A.13C(3)”.

Amendment agreed to; amended clause agreed to; clauses 17 and 18 agreed to.

Reported to house with amendments.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (16:45): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (16:45): I move:

That the bill be now read a third time.

Motion agreed to.

Read third time.

The ACTING PRESIDENT (Michael Galea): Pursuant to standing order 14.28, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill with amendments.

Retirement Villages Amendment Bill 2024*Second reading***Debate resumed on motion of Harriet Shing:**

That the bill be now read a second time.

David DAVIS (Southern Metropolitan) (16:46): I am pleased to rise and make a contribution to the Retirement Villages Amendment Bill 2024. In doing so I want to just set the scene here. This bill has been drifting in the Parliament for some time. It goes back to the early part of the year and indeed back into last year, when the bill was first brought forward. There has been a lot of discussion by government but by the opposition in particular, and I want to pay tribute to Tim McCurdy and the work that he has done in working with different groups.

A member interjected.

David DAVIS: Well, regarding the work that has been done here, it is actually significant, and I can indicate that the opposition will not oppose the bill, although we do have some amendments. It might be worthwhile for those amendments to be circulated at this time. I apologise for the circulation at this point, but the government and the crossbench have been emailed those amendments earlier.

Amendments circulated pursuant to standing orders.

David DAVIS: There has been a considerable amount of work on those amendments, and I again note the work of Tim McCurdy, his staff and the engagement with a number of key stakeholder groups. This area is replete with stakeholder groups, a number of whom met with me at earlier points in discussion on this bill. There are obviously owners, there are not-for-profits, there are residents, there are resident groups and there are a whole range of industry sector groups that have got particular views about this bill and about where retirement living should be.

Obviously this is an incredibly important zone given the significance of retirement living for so many Victorians – not unique to Victoria but significant because of the need to make sure that people have a high-quality standard of life in their retirement villages and that there are arrangements in place to ensure security, safety and fairness. Centres need to be economically viable, and there is clearly a significant range of issues to be identified.

What I would also say is that this bill hardly scratches the sides of a lot of the issues that retirement villages and residents in retirement villages face. In that sense, whilst the bill is not opposed and while we will seek to amend it, nobody should be under any illusions that this is in any way a comprehensive set of steps that has been taken here.

In 2017 – there is a bit of background that I think is important – a Legislative Council Legal and Social Issues Committee inquiry looked at the operation and regulation of retirement housing and resulted in a recommendation that the government develop a bill to better regulate the sector. In part this is that bill. In 2019 the Victorian government released an issues paper seeking feedback on the retirement villages sector. This was followed by community forums and so forth, and further releases were made in 2021. Following the feedback on the options paper, the government released an exposure draft in 2022 for feedback for only three weeks due to the caretaker provisions of government. Following the re-election of the current government, a further updated exposure draft of the bill was released in April 2023. A lengthy review period occurred between then and the government's introduction of the Retirement Villages Amendment Bill 2024 into Parliament during the last sitting week of last year. Whilst I say the bill is in no way comprehensive, it does have significant reach given that it is probably the largest bill in this area since 2004. The long, long genesis of this bill has caused residents to express considerable frustration with the protracted timeframe from the start of the review to the end, and a number of operators have been very concerned about the uncertainty and the issues that are created with this bill.

The purpose of the bill in theory is to improve the regulation of retirement villages, to provide for the needs of ageing and diverse residents of retirement villages, to provide for consumer protection and additional mechanisms to support the interests of residents of retirement villages, to provide for regulation that anticipates future growth and innovation in the retirement villages sector and to provide for further protection of the rights, interests and needs of current and future residents and a number of minor points. The bill, as I say, is a significant bill in that respect. At the same time, whilst we need to make sure the sector is viable, we need to make sure that it is also fair for residents.

The Property Council of Australia's 2023 retirement census indicates that 63 operators operate across Australia – obviously this is a Victorian bill – with 862 villages and more than 80,000 units. The average age of a person in a retirement village in Victoria is 76, with an expected tenure of 8.4 years for those living in the independent living units and 4.8 years for those living in serviced apartments. The up-front living cost of independent living units is about 52 per cent of that of a similar property in the metropolitan area and 57 per cent in regional Victoria, thus making it often an affordable option for older Victorians. The Liberals and Nationals have done, as I say, a lot of work talking to all parts of the sector. I do want to put on record again the considerable work done by Tim McCurdy and his office.

Division 1 of the bill amends the principal act. It changes the purpose and puts in new principles. Clause 6 provides for a new definition of payments, clause 7 inserts the definition of an entry payment and clause 8 provides exemptions for all operators' villages, not just charitable religious ones as exists under the act at the moment. Division 2 deals with exemptions. Division 3 makes various changes to definitions and introduces new penalties for operating without having notified ASIC. Division 4 makes various amendments to the definitions in the enforcement of rights and also puts in a new part 3A, which is about the termination of contracts. Division 5 amends part 4 of the act. There are significant changes through there. There is a list of penalties for the breach of a number of duties. There is a need to tighten up some of the points around the provision of information to residents, and some of those points are well understood.

Division 6 makes various changes to the charges residents pay as well as refunds of charges. Division 7 deals with the options and sales of premises. Division 8 and particularly the inserting of new part 5B deals with payment of certain entitlements, and there are exit entitlements that are also further defined. Division 9 outlines new rules around the meeting of residents, and there was a lot of input on a number of these points. Division 10 deals with the reinstatement, modifications and renovations undertaken, including who is responsible for the cost. Reinstatement costs are passed on to the resident, as they are required to leave the property in the same condition as they left it, minus fair wear and tear. Division 11 makes various changes relating to maintenance, and I am covering this at a high level. Division 13 deals with disputes and resolution of those disputes. Division 14 makes amendments to the requirements of an operator to pay an annual fee as well as changes to rules around a person not to manage a retirement village. There are transitional provisions in division 15.

The bill, as I have said, will have a mixed impact on residents and operators, with many of the changes being supported in part or wholly by both those groups. There is an understanding that reform is needed. However, there is concern that the department was instructed initially to rush the bill and as a result there were some elements that were poorly drafted. To the extent that the government is cleaning up a number of points with its various amendments, some of those amendments will be supported or not opposed by the opposition, and I am foreshadowing that at this point.

There are, as I say, two sides to most of the story here, and cooling-off periods are debateable. There are changes to meeting rules that are somewhat restrictive, and residents have expressed some concern about those. There is concern about the lack of auditing of various accounts, and there are some improvements that will come there.

The bill is a mixed bag of good and bad. Tim McCurdy, our shadow, has consulted, as I say, widely – Retirement Living Australia, Centennial Living, Residents of Retirement Villages Victoria and a

number of past presidents of that group and similar groups, Council on the Ageing and Senior Rights Victoria. There are a number of points that I am going to make about our amendments, and they have now been circulated. One of them relates to the changing of the commencement date of the bill. This comes from feedback from operators and residents that the bill sitting in Parliament for such a lengthy period will make the regulatory development period difficult and the implementation period too short to ensure proper consultation can be done. We will move that amendment. On the capital maintenance and replacement issue, this set of amendments make various amendments to capital maintenance funds and ‘fair wear and tear’. The principals in this, the residents, should be responsible for capital maintenance within the residents’ premises. There is, however, some confusion about what constitutes fair wear and tear and what will constitute renovation when determining the responsibilities for each party at the time of departure. A resident should be responsible for fair wear and tear of their premises.

There is another set of amendments that relate to capital maintenance and replacement funds. This would revert to the village only having one fund, of both capital maintenance and replacement, funded by the maintenance charge and operators, as per the current system. Feedback from operators and residents has indicated that separating capital item maintenance and capital item replacement in the two would be detrimental to residents, as operators would prefer to maintain an item from village funds rather than dipping into their own fund. This change would ensure that maintenance or replacement of capital is funded from one source and encourage continual upgrades as needed, making it fairer for long-term residents and enabling – we think, and the feedback to us is – better accountability.

On the issue of operating deficits this set of amendments would amend the bill to treat operating surpluses and deficits equally. Feedback from operators indicated that it was unfair for operating deficits to be treated differently from operating surpluses. The bill currently allows for surpluses to be carried forward but not deficits. That has been put to us by operators.

The adjusted maintenance charge amendment will replace any or all reference to ‘adjusted maintenance charge’ with ‘benchmark maintenance charge’. This change is designed to clarify the confusing terminology around the actual maintenance charge residents pay and the charge adjusted for CPI. Given that the adjusted maintenance charge is not a charge but a guideline or benchmark, replacing ‘adjusted’ with ‘benchmark’ will improve clarity to make it easier for residents to understand. This is a change that has been requested by the resident groups, and we support it and hence will move it.

The alternative accommodation payments amendment tightens up the proposed clauses around alternative accommodation. Operators are happy to provide alternative accommodation payments; however, they are seeking to make the changes more reasonable for operators to manage finances during the transition. This is a matter that has been put to us by operators.

The auditing of accounts amendment removes the references to accounts being reviewed by an independent auditor. Accounts should be audited in the interests of financial transparency and best practice; as such, references to accounts being reviewed as well as residents requesting reviewed accounts to be audited will be removed. This has been led by the residents.

There are a number of government amendments, as we understand it. The minister I think is Minister Shing in this chamber. There is a further attempt to provide clarification of the terms ‘vacant possession’ and ‘permanently vacating’, and we would support that amendment. There is an amendment which requires village owners and operators to disclose information relating to insurance arrangements in villages, and we will not oppose that amendment. There is an extension of the cooling-off period for entering into a residence from three to seven business days, and we support that change. We believe that that is fairer. There is a lower quorum requirement for a meeting of residents in a village on an adjusted scale based on the size of the village, and we have agreed not to oppose that change. There is an amendment to clarify the prohibition on the levying of maintenance charges and optional service charges after a resident has died, consistent with vacant possession reforms, and we

have indicated we will not oppose that. There are updates to references in other acts and regulations to support consistency with the introduction of modernised terms, and we will not oppose any of those proposed amendments by the government.

We think these are fair points that we are making. As I say, a lot of work, a lot of effort, has gone into all of this. We have seen the constant effort by Tim McCurdy and his staff to engage with the spread of resident groups, and there is quite a large number, as I can personally vouch for. There is also the need to make sure that the sector remains viable and to balance the changes that are proposed. I do want to say that with the ageing of our population the task of getting retirement villages operating more effectively and more fairly is a very significant one, and we think there are further areas for reform. We do not think it is the case that this bill is the be-all and end-all of things. There are some aspects that we support; other aspects we are more cautious about. The government is going to, I am informed, come forward with certain amendments, which we will largely support, or not oppose, and we will have a number of additional amendments in place as well.

This is a significant sector because of the shifts in our population. There are real issues with planning matters around some of the retirement villages, and village operators point me to the difficulties of getting clear planning approvals. That has become a major brake on new centres and new operations. The government should work with the sector to find better ways forward there. I am not in favour of leaving communities without a proper say – councils and communities should have that say – but at the same time I do understand the points that are made by a number of key operators and the urgent need for additional capacity and additional opportunities to be made available.

I also want to say that the whole building sector is creaking under the large taxes that are being imposed increasingly by this state government. The Urban Development Institute of Australia provides figures that about 43 per cent of the cost of a new property is taxation. The same problem is true with the production and building of new retirement villages. The costs that government impose are very significant, and those costs have been a significant brake on the ability of many of the operators to bring forward new capacity that is needed in and near where people live and want to live and want to remain. We are strongly supportive of those points made by the industry and made by the sector.

Every one of these regulations that is put in place has an impact. We need to see that these things are balanced in a fair way. We want to see where there is a significant impact that it actually has a commensurate improvement in the position of the residents. We do not want to see excessive burdens put on operators for little or no benefit. I think there are a lot of points. I could go on for a long period, but I am not going to given the hour and the need to expedite this bill forward in a reasonable way.

John BERGER (Southern Metropolitan) (17:09): I rise to make a contribution on the Retirement Villages Amendment Bill 2024, and in doing so I would like to thank the Minister for Consumer Affairs for his hard work in that role and as the member of Parliament for Bentleigh in my constituency of Southern Metro. This bill to amend the Retirement Villages Act 1986 will be the largest overhaul of the sector's regulatory framework since it was first passed by the Cain Labor government in 1986. That principal act introduced a sweeping set of reforms for the betterment of our retirement village system. It was built on the concept that no-one should retire without dignity and respect. At the time it modernised the sector, brought up new standards of care and conduct and also enshrined critical rights for residents both in quality of care and the consumer protections afforded to them, which of course was a staple of the Cain Labor government at the time.

The Allan Labor government is now moving to bring these laws up to meet the challenging environment of the modern world. It brings us in line with other states and territories in many respects, but also leads the way in reforming our retirement villages and retirement aged care sector as a whole. Things have changed since 1986. Victorians are now living longer and healthier lives. The average life span of an Australian was somewhere in the mid-70s; today it is rapidly approaching the mid-80s. As Victorians get older, it means they need more care, whether it is at home or in a retirement village. In order to make sure they live with dignity it is important that we bring our regulatory framework up

to modern community expectations, while meeting the challenges and demands of today and opening the door for future changes that better help retirement villages for the care for our ageing residents.

The principal purpose of this bill is to enact better regulation of retirement villages in Victoria and further improve the expected quality of care provided to a more diverse and growing number of retirees entering these villages. It also provides more consumer protection to help protect the interests of residents in retirement villages. It goes to ensuring greater security and dignity for retirees living in these villages and to ensuring fairness and quality of care and service. Retirees have worked their whole lives providing for their families and loved ones. While Australia itself does not have an official age of retirement, there is a threshold at which you can start receiving the pension, which is 67 years old. That would mean that someone now choosing to move on to the pension and retire would have been born around 1958. Australia only federated in 1901, meaning your typical retiree today has been working away for nearly half of Australia's existence as a federated Commonwealth nation. That is before we even consider that many Australians choose to retire at a much older age too.

We want these hardworking Australians to retire with dignity and with the care that they deserve and need. We want the later stages of their lives to be ones where they are cared for, not where they are held back by the pressures and burdens that come with financial insecurity and unfair treatment. Part of ensuring that dignity and care is the proper maintenance and regulation of our retirement villages. If we want ageing retirement village residents to live in stronger financial security, we need to ensure that they have the consumer rights afforded to them that allow them to make the best financial decisions for themselves and for their loved ones. With that, I commend the bill to the house.

Aiv PUGLIELLI (North-Eastern Metropolitan) (17:12): I rise today to speak on the Retirement Villages Amendment Bill 2024, which the Greens will be supporting. In doing so I acknowledge that this bill is the culmination of many, many years of work by residents and by advocates who care deeply about the successful and the fair running of retirement villages. They have been staunch in their work to make sure that residents are treated well, that villages are enjoyable and comfortable places to live and that people fully understand the conditions of their contracts when they move in. They have been firm in their calls to stop the dodgy, dishonest behaviour that we have seen from many operators in the past, who have preyed on people for their own advantage. In the Victorian Parliament – before my time personally in this place – following the efforts of residents and the community, we had a Greens-initiated inquiry back in 2016, which led to the review of the act. We see now consequently this legislation before us. The inquiry heard too many stories of residents being poorly treated – complex contracts, ridiculous fee hikes, dishonest practices – and really awful stories of people losing their savings or being forced to live in homes that they were not happy with.

Many of the changes we see in this bill were recommended by that inquiry, and that is really great to see. The Greens do support this bill. It brings in a number of reforms that will improve the situation for residents of retirement villages. These are positive changes here, which we welcome. It is great to see that there will now be, for example, standardised contracts for new residents and requirements to provide clear statements of information and contract checks. I am pleased to see that operators will be held to a mandatory code of practice, that there will be greater regulation for the benefit of residents and that a dedicated dispute resolution service will be set up. This dispute resolution service has the potential to support residents seeking justice and fair outcomes when issues do arise. I hope that this service will be well resourced to therefore hold providers to account in a tangible and a binding way. To be clear, though, the Greens do still support calls for a retirement housing ombudsman because even if the dispute resolution service does have the resources it needs to truly support residents, we are still concerned that it may not have the scope to investigate systemic issues, which are bound to continue and do need to be addressed.

There is still much more work to be done in this space to make sure that all retirement village residents are well informed and are fairly treated and that dodgy operators are held to account. There is more to do to remove the power imbalance that we see between residents and operators and to focus on residents' rights in their homes, in their communities. I really hope that we do not continue to see

media story after media story of awful operators behaving badly – heartbreaking stories of residents being scammed or even being bullied. It would be really a shame on our state for that rotting to continue, and I will certainly be watching closely to identify what potential further reforms are therefore needed. But this bill before us is a solid step in the right direction.

I do also want to personally thank the many retirement village residents who have been so engaged with this process to bring about this legislation and who have been advocating firmly to try and make it even better. I know many of them will be following this debate right now, and I want to specifically thank them for their time and their engagement with my office and with my fellow Greens MPs' offices. They have really helped us to be informed about what they are seeing in retirement villages and have been fierce advocates for the benefit of all residents. I know there will be some residents who we have engaged with who will not be completely happy with where this bill is ultimately landing and who would like to see further reform, and I hear you – I do hear you. There is more work to be done. So I say, in that case, let us continue that work, let us continue this conversation. There is more to do here. We must keep pushing for any future changes in this space that are required. But in relation to this bill, I commend it to the house.

Sheena WATT (Northern Metropolitan) (17:17): I rise to speak in strong support of the Retirement Villages Amendment bill 2024, a bill that marks the most significant overhaul of retirement village legislation in Victoria since the act was first introduced in 1986. At its heart, this bill is about fairness, dignity and respect. It is about ensuring that older Victorians, those who have worked hard, raised families and contributed so much to our communities, are supported to age well in comfort and with the security they absolutely deserve.

As a former Parliamentary Secretary for Housing, I know just how foundational secure, appropriate and affordable housing is to people's wellbeing. A safe home is more than just a roof over one's head. It is a place where people connect, rest and maintain their independence. For older Victorians, a retirement village should be exactly that: a genuine home, not a source of stress or confusion.

In my time I had the privilege of working with housing experts, aged care advocates and seniors groups across Victoria, and through that work I came to deeply understand the vulnerabilities older Victorians can face, especially when housing contracts are unclear or when disputes arise without an accessible path to resolution. This bill speaks directly to those concerns. We are absolutely delivering on our commitment to modernise the Retirement Villages Act 1986, and this bill responds directly to what we have heard from residents, their families and the organisations that advocate for them. Can I say that for many the message was clear: contracts were too complex, dispute resolution was ineffective and too often the balance of power was tilted away from residents. The bill changes that. It puts residents at the centre.

I want to take the opportunity to acknowledge and thank the former member for Hawthorn, John Kennedy, for his leadership on this issue. John brought into this Parliament not just a deep intellect and a sense of fairness, but his own lived experience of retirement living. He understood intimately what needed to change and was a strong and persistent voice for reform. This bill owes much to his advocacy. With that can I say we have heard long and hard about what reforms are needed, and in this bill we seek to deliver them. So to the former member for Hawthorn, John Kennedy, and all those that have travelled with him on the path to get this bill before us today, can I say: thank you for your efforts. Thank you for sharing your personal experiences so generously. This bill carries your fingerprints. Older Victorians deserve nothing less than our full support to live with dignity, respect and security. I commend this bill to the house.

Rachel PAYNE (South-Eastern Metropolitan) (17:19): I rise to make a contribution to the Retirement Villages Amendment Bill 2024. Those of us lucky enough to have parents who have lived long lives may have some experience of the stress involved in navigating the residential, retirement and aged care sectors. It is a very complex area. In relation to retirement villages, confusion and miscommunication over contracts often only arises when a resident is leaving, and then there may be

a long wait for their exit entitlements. This obviously exacerbates an already challenging time for residents and their families, so it is pleasing to see the Retirement Villages Act 1986 getting this much-needed review.

The bill seeks to improve the regulation of retirement villages and provide better consumer protections for people entering and exiting retirement villages. That includes the requirement that retirement village operators use standardised contracts and information so that potential residents are better able to understand what they are getting into and compare different villages more easily. Operators will be required to report to residents annually on the status of their contracts. They will also need to develop mandatory emergency plans. The bill introduces a dedicated dispute resolution service to be run through the Department of Government Services. It seeks to introduce stronger protections around the exit entitlements paid to residents when they leave a retirement village, and it clarifies how operators calculate and disclose fees to residents. Generally it seeks to improve the information provided to people so they can make informed decisions about this important stage in their life.

We received a lot of advocacy from retirement village residents who had concerns with some aspects of the original bill as drafted. My Legalise Cannabis colleague Mr Ettershank, who spent some 20 years working in the not-for-profit aged care sector prior to entering Parliament and who knows a thing or two about the sector, was able to work with the government to resolve some of these issues. I believe this bill we have before us is significantly improved as a result of his work. I commend the minister's office for this engagement and willingness to work through our suggestions, and I would like to particularly acknowledge Joel Blanch for his work on this bill. We will be asking some questions during the committee stage to get some further clarity around some aspects of the bill.

It is worth noting that retirement villages are commercial ventures. Operators are providing goods and services at a price to get a return on their investment in line with the risks they are taking. We know that the vast majority of retirement village operators are doing the right thing. It is important to get the right balance between providing protection for residents and allowing operators to run a business and stay afloat. For example, we do not support changes that would extinguish existing contracts or retrospectively amend residents' agreements with operators.

We have had representations from residents seeking to amend agreements in relation to deferred management fees. As the name suggests, these are fees that are deferred until the resident is exiting the retirement village. The fees are calculated at the entry point to give people some certainty of what they will owe at the exit point, but this tends to be forgotten until it is time for the resident to leave. Nobody likes deferred management fees, but we cannot support retrospective amendments to alter or abolish them. We would see a great many retirement villages bankrupt if these fees were abolished. It is unsustainable. It could represent a loss of hundreds of thousands of dollars out of every unit, which would be disastrous for operators.

However, we have worked with the government to make changes to the original bill, which I will now turn to. Firstly, the lack of information provided by operators around insurance coverage has been a source of anxiety for many retirement village residents. The inquiry into the 2022 floods heard from residents of the Rivervue Retirement Village whose homes were inundated during the floods and unable to be occupied for a long time thereafter. In addition to the trauma and stress related to the floods and their aftermath, affected residents were suddenly made aware that they were underinsured and that there was a significant gap between the insurance that Tigcorp and the operators at Rivervue had obtained and what that insurance actually covered. I am quoting from a submission to the inquiry from a Rivervue resident:

... Tigcorp had completely underinsured the village, as they had \$5 million of building insurance for the entire village, which represents roughly 6 per cent on an asset of \$80 million, which had to cover temporary accommodation costs too.

The resident said they had to urgently find and pay for their own temporary accommodation:

... all because Tigcorp had failed to get proper insurance for Rivervue and had never revealed it to the residents.

It seems obvious that retirement village residents should know what insurance cover the operator has taken out, including coverage of buildings and equipment, public liability and the cost of alternative accommodation if their residence is impacted by a disaster such as floods or fire. A certificate of insurance is a basic starting point. It summarises the type of cover and risk, the limit of indemnity, and the excess in respect to the types of cover, but it misses important things such as underinsurance. The residents of Rivervue were underinsured, which they could have addressed had they had the right information. They could have looked at the gaps and topped up their own insurance, but incredibly, they found that it was impossible to get that information from Tigcorp. A certificate of insurance also admits exclusions. Residents need to know what is not covered by the operator's insurance, like temporary accommodation costs if the residence is uninhabitable, and they need to know what risks are not insured. Does the operator's insurance adequately insure for all risks?

We are pleased that the government has agreed to our suggested amendment to require village owners and operators to disclose insurance information as part of the information provided to new and prospective residents and to exiting residents as part of their annual contract check. Additional disclosure requirements for insurance will be prescribed in regulations.

Moving on to vacant possession, many stakeholders thought the term 'vacant possession' was ambiguous in the legislation and wanted to see it better defined. Residents had concerns about operators having unreasonable expectations around what constituted a vacant property ready for resale. In circumstances where residents are depending on the sale of their residence to finance the next stage of their life – for example, a resident leaving the village to move in with their family – they wanted some assurance that the process of vacating and selling their retirement residence would happen relatively quickly. We are pleased the government has amended the legislation to provide clarification of the terms 'vacant possession' and 'permanently vacating' for the purpose of the Retirement Villages Act 1986.

Cooling off period – the cooling off period for entering into a residence contract has been extended from three to seven business days. This is a reasonable amendment and in line with other jurisdictions.

Quorum requirements – the original quorum requirements for a meeting of residents in a village was at least half of the total number of residents who are entitled to vote, which is simply not feasible. Obviously you will always have very committed residents who will show up to a meeting. But some of these retirement villages are huge, with 500-plus elderly residents, so expecting 250 of them to turn up for a meeting is unrealistic. Accordingly the government has amended the quorum requirements, basing it on a sliding scale. For larger villages of 40 residents or more, 25 per cent of residents are needed to form a quorum; for smaller villages of less than 40 but more than 20, 10 residents are required; and for villages with fewer than 20 residents, half of those residents are required to form a quorum. This is a sensible measure.

These amendments will afford greater protection for residents of retirement villages, but there are growing numbers of Victorian retirees who are living in residential tenancy parks. Indeed they are becoming a common alternative for retirees, particularly those with less means. It is critical that the government implement legislation for residential park communities that aligns with the rights afforded to those living in retirement villages. We understand that some research is underway, and we would expect the results to be reported to Parliament within six months. Many of these lifestyle villages are simply existing caravan parks, and they are high risk in terms of climate change. There is currently a vacuum that exists around residential tenancy parks. They are not covered by the Residential Tenancies Act 1997, and they are not fully covered by caravan parks and moveable dwellings registration and standards regulations. We look forward to seeing the results of the government's research and some action in this space.

Our population is ageing. By 2046 it is estimated that one in four Victorians, a quarter of us, will be aged over 60. If we are fortunate enough to live to a ripe old age, a great many of us will be living in some form of aged care or retirement living. It is a fact. As much as we hope for our loved ones to be able to live in safe, secure accommodation with all the necessary supports and services and no scary surprises, we would also want this for ourselves when the time comes. We believe this bill strikes a good balance in offering greater protection for retirement village residents while enabling owners and operators to manage their villages sustainably.

I would just like to finally note a thankyou to my colleague Mr David Ettershank for all the work that he has done on this bill. I think he has done an amazing job of collaborating with the government and with stakeholders and finding some resolutions that really do work. I commend the bill to the house.

Georgie PURCELL (Northern Victoria) (17:31): I rise to speak in support of the Retirement Villages Amendment Bill 2024. I acknowledge the government's work in bringing this important bill before the house. This bill brings some important reforms to the retirement community sector, and it is encouraging to see Victoria moving towards national consistency in its regulation of retirement villages. I note that regulatory consistency amongst jurisdictions has been called for by the industry for some time now and that this consistency, as well as the reduction of other regulatory burdens, should reduce unnecessary complexity and confusion for both residents and operators and reduce vital administrative costs for the industry. I particularly commend the commitment included in this bill for the development of a mandatory code of practice. This will establish a clear and enforceable set of rules that all retirement village operators must follow. As the industry grows, we have a responsibility to ensure that elderly Victorians, many of whom may be in vulnerable situations, are properly protected. This mandatory code will be developed through consultation with residents, operators and other stakeholders, which will help to prevent unfair practices and ensure residents are treated with the dignity and respect that they all deserve.

I will also be moving an amendment to this bill, and I ask that the amendment be circulated now.

Amendment circulated pursuant to standing orders.

Georgie PURCELL: This amendment seeks to prohibit retirement villages from creating rules which unreasonably limit the keeping of companion animals by their residents. As it stands, elderly Victorians can be told they must give up their beloved pet in order to access housing and care in a retirement village. While many retirement villages do allow new residents to move in with an existing pet, there are still widespread restrictions when it comes to obtaining a new pet or replacing a pet that has passed away. These limitations can be deeply distressing, particularly for older residents who rely on the companionship, routine and emotional support that animals provide us.

It is important that retirement villages retain the ability to implement reasonable rules around pet ownership and behaviour, and this amendment does not seek to change or undermine that. What it does seek to do is put an end to the restrictive and often unnecessary rules that prevent residents from keeping pets in their homes, often imposed as a matter of policy or convenience. These blanket bans or arbitrary limitations fail to consider individual circumstances and can have a significant impact on the wellbeing of residents. This amendment aims to strike a fair balance by allowing villages to manage legitimate concerns while ensuring residents are not unfairly denied the companionship and comfort that their pets provide.

For many older Victorians, especially those who live alone or far from family, pets are not just a source of companionship, they are a lifeline. Companion animals can ease a deep loneliness that often accompanies ageing, loss or relocation to a new living environment. They provide routine and a sense of purpose and even improve cardiovascular health, all of which are fundamental to mental wellbeing. The Companion Animal Network Australia, or CANA, is a registered charity and the national peak body representing the companion animal welfare work of its member organisations across the country. One of CANA's key programs is Pet Friendly Aged Care, which was established to address the

emotional harm caused when older individuals are forced to relinquish their pets upon entering aged care facilities. This program advocates for policies that allow residents to keep their pets, recognising the significant role that animals play in reducing loneliness and enhancing the quality of life for seniors. According to Companion Animal Network Australia, nearly 70 per cent of pet owners consider their pet to be their closest companion, and for older people in particular, the human–animal bond can be transformative. CANA’s work highlights the risks of separating people from their animals, especially at such a vulnerable stage of their lives.

Loneliness is a major societal health concern, with well-established links to worse health outcomes, depression and cognitive decline. Loneliness has been shown to be as damaging to someone’s health as smoking 15 cigarettes per day. It is essential that we view all legislation affecting the social lives of Victorians with this in mind. This amendment recognises that allowing companion animals within reasonable limits is not just a lifestyle preference, it is a matter of public health. It is unacceptable that older Victorians can be forced to choose between keeping a pet they love and finding a retirement community that they love. This forces elderly people, often at a vulnerable and transitional point in their lives, to search for alternative accommodation in an already tight and competitive housing market. It is a choice no-one should have to make: give up the animal that brings them comfort and companionship, or give up the opportunity to live somewhere safe, somewhere supportive and somewhere suited to their needs. This amendment seeks to remove that impossible choice.

Pets can create opportunities for social interaction, providing opportunities to connect with other pet owners and community members. For those that have dogs of our own, we would all know the sort of community and the sort of politics that emerges from our dog parks. We have recognised this principle before. This government led the way in reforming our rental laws to reflect what so many people already knew: that companion animals are not simply property or a lifestyle choice. In 2020 the Victorian government enacted significant reforms to the Residential Tenancies Act 1997 particularly concerning pet ownership in rental properties. These reforms were part of a broader initiative to modernise rental laws and reflect the evolving understanding of the undeniable human–animal bond. By ensuring that tenants have the right to keep pets, the government acknowledged that animals are not merely property or lifestyle choices but integral members of so many families.

There is no reason why this same principle should not apply to elderly residents in retirement villages, who equally deserve to maintain the companionship and emotional support that their pets provide. This amendment is about more than just policy; it is about recognising the deep and longstanding bond that companion animals have in enriching the lives of our elderly Victorians. It is about ensuring that no-one in their later years is forced to sacrifice the comfort, love and companionship of a pet in order to find a safe and a welcoming home. As a community we must honour the dignity of our elders by protecting those connections that bring joy, purpose and comfort in times of vulnerability.

The government has signalled that they will be supporting this amendment, and by doing so we will be taking a meaningful step towards creating retirement villages that are truly homes, places where our seniors can live with respect, compassion and the loyal companionship of their beloved animals. It is both a moral imperative and a reflection of the kind of society we strive to be, and I urge all of my other colleagues to stand with me in passing this amendment to ensure that no Victorian has to face the heartbreaking choice between a home and a friend. I commend the amendment and the bill to the house.

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (17:39): Thank you to everybody who has made such a significant volume of contribution to this debate. It is a wideranging debate given the breadth and the contemplation of the bill but what it does at its heart is really confirm the objectives of this place and indeed this Parliament of addressing the importance of accountability, of transparency and, fundamentally, of dignity and respect.

When we talk to the demographics, the ageing demographics across this state, I am one of those people who by 2046 will be aged 60 and over.

We know all too well that the experience of retirement either can be one which is brimming with autonomy, with opportunity and with the best of all things in life or can, as a consequence of an asymmetry in power, be fraught with confusion, anguish, loss and disadvantage. This bill is intended very squarely to provide the best of all possible opportunities occasioned through the provision of clarity, whether that is on entitlement payments; a code of practice; the guiding principles, which I just touched on; clarity in contract; the way in which termination provisions occur; maintenance responsibilities and obligations; and no unreasonable rights of refusal for repairs, alterations, reinstatements and renovations. The government will be proposing a number of amendments, and I would seek at this point that they be circulated.

Amendments circulated pursuant to standing orders.

Harriet SHING: While that is occurring I want to touch on the basis for these amendments and the process which has been undertaken in careful discussions with members across this place. The amendments do reflect a number of positions put by members around the importance of clarity, of reducing and removing any duplication and also of providing that measure of certainty which is at the heart of the bill itself. As we go through committee the position that government takes will become clearer in relation to the opposition amendments. In many cases the house amendments to the Retirement Villages Amendment Bill 2024 being proposed by government address what has previously been put by the coalition in its proposals. That has informed a number of the positions around amendments not proceeding. I also do want to provide the opposition – Mr Davis, I think you have carriage of the bill – with the opportunity to have some conversations about further amendments which have been put to which the government will not agree.

I want to thank everybody for the process not just of bringing this bill to the chamber today but also in a really extensive period of discussion, review, consultation and engagement. The stakeholder consultation and discussion which have preceded this bill are part of an ongoing discussion about how we make sure that, to come back to my earlier point, dignity and respect are the things that are driving the basis for legislative reform and the ongoing endeavours of this place to ensure that when people retire they are provided with support and again that opportunity for thriving rather than simply being responsive to and at the whim and authority of another set of power imbalances that perhaps drive outcomes that are fraught with disadvantage and lack of opportunity.

I am looking forward to going through this bill in the committee stage to answer any questions. As Ms Purcell has indicated, the government will be supporting that amendment being proposed around the opportunity to keep a pet with the insertion of a provision around ‘unreasonably limiting the keeping of a pet on a resident’s premises’. I just want to indicate our support and indeed my support for this provision, which enables the capacity to keep a pet and a requirement that refusal not be unreasonable. It is so important that we continue to provide pet owners – or, as I refer to us, willing human slaves of companion animals – that opportunity to have pets with them. When I am aged 60 or above in 2046, I hope to be surrounded by as many companion animals as I am possibly allowed to have, which will be to my benefit as well as everybody else’s who is lucky enough to know them. On that basis and looking forward to a discussion in committee, I refer the matter on for the second reading and commend the bill to the house.

Motion agreed to.

Read second time.

Committed.

*Committee***Clause 1 (17:46)**

David DAVIS: I do have some questions, we have about a dozen or maybe 15, and most of them I think can be dealt with on clause 1, with the agreement of the committee. If I may ask the minister: clause 1 of the bill introduces new terms ‘reinstatement’, ‘restoration’, ‘refurbishment’ and ‘renovation’ and uses them nine, two, one and 13 times respectively. However, they are not defined in the bill. Could the minister offer a definition for each of these terms?

Harriet SHING: Words which are not defined in the course of the bill are to be given, as is the case with other bills and legislation, their plain and ordinary meaning. It is incumbent upon a place other than the Parliament to interpret the legislation and how it might apply in any specific instance.

David DAVIS: I thought you might say that. The point here I think is that this is particularly confusing, as residents are left unsure of who pays for what under these terms. Would the government offer a rough outline of payments related to these terms?

Harriet SHING: Mr Davis, that would depend upon the circumstances of each individual matter where payment is being sought.

David DAVIS: Given that the changes in the bill in many parts would not be applicable to existing contracts, how does the government intend to support and manage the transition?

Harriet SHING: The reforms will in fact be part of a process of expectation in aggregate annual costs of approximately \$36.2 million for residents in the community. A legislative impact assessment has been undertaken to analyse the features, costs, risks and benefits of the reform package. It also assumes aggregate annual financial costs of about \$45 million for village operators and about \$15 million over five years for government. This will enable government to recover costs, at least partially, by imposing an annual registration fee on village operators and setting this fee, subject to further consultation, through a regulatory impact statement. The bill will enable government to recover costs, as I said, at least partially by imposing an annual registration fee, and should budget supplementation be required, this will be sought via a standard budget process in future years. Again, the fee to be charged will be prescribed in regulations, and further consolidation with industry and operators will be undertaken as part of the development of regulations to determine the annual fee amount. That will be subject to the Victorian government’s pricing for value principles, and a regulatory impact statement will be undertaken. Further consultation will also be undertaken with the Department of Treasury and Finance and the retirement village sector to determine the appropriate amount to be charged. We will have a process of education and consultation for those regulations, and there will be time provided in accordance with that process for the transition.

David DAVIS: I hear what you say about processes there, but it is possible that many operators will face very significant charges – perhaps tens, perhaps hundreds, of thousands. I do not know, but maybe you would like to give some ballpark figure for operators who would be registered under these arrangements.

Harriet SHING: Mr Davis, given the range in size and scope and operation of retirement villages across the state, I am not in a position to provide you with that information.

David DAVIS: Perhaps another question then, Minister: what support will be in place for operators to ensure they are providing accurate contract information to existing residents if they are on an older contract with different requirements?

Harriet SHING: Just to be really clear, Mr Davis, these reforms relate to new contracts or to reforms that would seek to vary existing contractual arrangements and will not apply to current residents as they have already entered into a contract with their operator. So options to retrospectively regulate the payment of maintenance charges after a non-owner resident leaves a retirement village

will be considered further and informed by legal advice, to apply relief to all departing non-owner residents and their families. Currently, for example, maintenance charges are payable by former non-owner residents until the date on which another person enters into a contract for the premises. The act currently sets a limit of six months for liability of former residents for the payment of maintenance charges. The bill will remove these payments for contracts entered into following the commencement of the reform, and people should already know what their existing contracts are.

David DAVIS: My next question to the minister relates to the commencement date in the bill. Does this allow sufficient time for consultation and development of a code of practice as well as the implementation of the many complex changes in the bill? For example, was the commencement date of 1 May 2026 based on the passage of this bill earlier this year rather than in the middle of the year?

Harriet SHING: There are 11 months to go, and that was not informed by the process of scheduling for the purpose of this bill, the debate and the consideration in committee.

David DAVIS: Sorry, you are saying there is plenty of time or –

Harriet SHING: What I am saying, Mr Davis, is that the process of the listing of this matter for consideration by the Council has not been a material factor in the development and commencement of the bill itself. There are still 11 months to go, and there will be a process of careful discussion, including in the regulatory impacts process that I have just spoken to.

David DAVIS: I want to ask the minister about the deferred management fee. Residents have provided feedback that the current definition of deferred management fee in the bill is very ambiguous and does not do a satisfactory job of explaining what it actually is. Can the minister elaborate further on the bill's definition for the deferred management fee in order to clarify any confusion? And my question as part of this too is: how did the government come to this definition – based on what consultation? This is clause 6, in a sense.

Harriet SHING: The definition has widespread application across the industry. It is a standard definition, and this bill in fact makes it clearer that it is in accordance with those practices and those definitions within the industry.

David DAVIS: Another question relating to exemptions: how many retirement villages are currently exempt under the current act? And does the government forecast an increase or decrease in exemptions as a result of the change? If so, by how many villages? This would be particularly around clause 10.

Harriet SHING: The bill is changing the exemption process for retirement villages. As you would know, currently exemptions apply under 107 of the 512 retirement villages on the register maintained by Consumer Affairs Victoria, so exemptions are not time limited. Most of them have been in place since commencement of the act in 1986. The existing basis for declaring that an organisation is exempt is not transparent, and the current exemption criteria are actually overly broad. Because they do not specify the factors the director of Consumer Affairs Victoria must consider when determining an exemption application, it has been considered that an update is required, and updating the exemption process will modernise the process, make it more transparent and ensure that all current exemptions are warranted. To ensure the rights of residents are adequately protected, proprietors or operators will be required to reapply for their exemption if required once the bill is in place, and that includes retirement villages operated by religious or charitable organisations. Proprietors or operators will need to submit an exemption application to the director of Consumer Affairs Victoria. This will be assessed against specific criteria that examine the risk to residents if the village were to be exempted from provisions of the act, and a 12-month transition period will be provided to make sure operators have adequate time to comply. There are a range of criteria that will be used when considering an exemption application, and new exemption processes will take place following a 12-month transition period to enable retirement villages to reapply and to comply with the amended act. Retirement village operators

must fully transition to the requirements of the amended act by no later than 12 months after commencement of the amended act.

David DAVIS: I want to talk to you about contracts. With such a variety of contracts on offer, depending on the model of the retirement village, does the government intend to ensure that each contract is pro forma and simple to read? How will they be developed over the next few months to ensure each model is included or considered? And has the government considered a website that would enable potential residents to compare contracts online as in New South Wales? This is around clause 19 that we are discussing here.

Harriet SHING: We will work to develop standard form contracts, which were mentioned as a part of a number of the contributions that were made in the course of the second-reading debate, as part of the regulations process, and there will be a really significant consultation process on their development. Just to go back to the genesis of these changes, they have a very long history. This has been part of really, really extensive consultation, discussion, review and analysis over years. We will work very carefully through this process of consultation. The regulator will provide updates on the Consumer Affairs Victoria website, and there will be education and support in the lead-up to these reforms. We understand that people consume and digest information in a range of different ways, and the very point of this amendment to the legislation is to make sure that we are demonstrating and delivering a better measure of transparency and accessibility of information. That will also inform the process that is undertaken in delivering these reforms as part of regulatory consultation.

David DAVIS: I think that means that a website is not ruled out, and I would ask: what additional costs are forecasted for operators per the requirement to provide a written contract check annually? Did the government consider other options for provision of contract checks, including putting an onus on the resident or making them required every two years instead of every year, which is what I understand is likely?

Harriet SHING: I have already taken you through the cost of the reforms to be implemented and the legislative impact assessments being undertaken to analyse those features, costs, risks and benefits of the reform package. Again, there is an expectation of a reduction of aggregate annual costs of approximately \$36.2 million for residents and the community. It also estimates aggregate annual financial costs of about \$45 million for village operators, and approximately \$15 million will apply over five years for government. This will enable government to recover costs, at least partially, by imposing an annual registration fee on village operators. There will be minor additional costs for annual contract checks. But again, Mr Davis, when we go to power asymmetry and to the point that you just raised about residents needing to do certain things, we are talking about –

David DAVIS: Or alternatively every second year.

Harriet SHING: Again, when you are talking about a less frequent interval, it may potentially give rise to a further entrenching of an asymmetry of power if there is not an annual process that gives residents the measure of certainty that they require and that they deserve as they engage with their retirement village operator. We also want to make sure that people understand what their rights, responsibilities and obligations are, which again gets back to that process of consultation that we will undertake in the course of developing the reforms as part of the development of regulations.

David DAVIS: I also want to ask the minister about exit entitlements and vacant possession. How does the government intend to ensure that neither operators nor residents' families can stop the clock on the payment of an exit entitlement or delivery of vacant possession? Given the lengthy delays at VCAT, how will the proposed changes ensure fairness for both residents and operators in terms of payment of the exit entitlement and time to turn the unit around?

Harriet SHING: We have touched on exit entitlements and obligations pretty extensively in the course of this debate. There will be changes to exit entitlements, but currently non-owner residents must receive their exit entitlement no later than six months after leaving the retirement village. For

owner residents, there is no statutory maximum timeframe requiring payment of their exit entitlement. This happens only when the sale of the retirement village unit has been completed. In practice, former residents and family members are facing a really significant wait to receive exit entitlements upon leaving a retirement village where there are delays to resell or re-lease their residence, and they are experiencing really significant stress. Again, this is an important part of the discussion on power asymmetry and the right to accurate information and a process that is fair and reasonable. Financial strain is another consequence of this. There will be a default time period of 12 months when exit entitlements must be paid to former residents. That is a safety net, which is particularly important. We are also making sure that a deferred management fee must be calculated using a method as a percentage of the resident's entry payment by reference to the length of time the resident lives in a village, which is taken to cease on the date the resident gives vacant possession of the premises occupied by the resident and in accordance with any prescribed requirements.

There is an amendment that has been circulated by the government around interpretation of vacant possession and permanently vacating. A new section 3EA indicates the insertion of the following:

- (1) In this Act, in relation to a premises occupied by a resident in a retirement village, a reference to giving up or delivering vacant possession of the premises, however expressed, is a reference to the point in time when all the following have occurred –
 - (a) the resident has ceased to occupy the premises;
 - (b) all personal property of the resident has been removed from the premises;
 - (c) any keys to the premises have been returned to the operator or proprietor of the village;
 - (d) if the resident occupies the premises under a retirement village contract that requires notice to be given before the resident delivers up vacant possession of the premises, the notice has been given and the notice period has elapsed.
- (2) Subsection (1) is not intended to limit the common law meaning of delivering up or giving vacant possession of a premises.
- (3) In this Act, in relation to a premises occupied by a resident in a retirement village, a reference to permanently vacating the premises, however expressed, is a reference to the point in time at which the resident delivers up vacant possession of the premises.

David DAVIS: Just on that, in cases where the next of kin or the executor of an estate cannot be found and probate is not granted in a timely manner, would this delay the start of the 12-month clock?

Harriet SHING: Again, as I just read out, new subsection 3EA(2) says that the definition of the following having occurred 'is not intended to limit the common law meaning of delivering up or giving vacant possession of a premises'. There may be instances where the common-law interpretation of delivering up or giving vacant possession may overlap with a resident passing away, and where probate has not been granted or next of kin cannot be located, there may well be deeming provisions. This is where, again, that will be on a case-by-case basis.

David DAVIS: The question of residents committees is another point that has had quite a lot of airing through this process. How many villages in Victoria have a residents committee currently set up, and what was the government's reasoning for changing the voting rules to allow only one vote per household on this? If two people are on the lease – say, a husband and wife want to vote different ways at the meeting – but only the husband gets to vote, or vice versa for that matter, as he is first on the contract, would this not infringe the rights of the spouse to participate? How would this be resolved?

Harriet SHING: There may well be some confusion here between residents committees and residents meetings. Again, where we have a preponderance of people living as single people in retirement villages where they have a unit for themselves, we would not want to see that they have lesser rights to influence outcomes based on the fact that they are not living with somebody else. And I do want to put a gender lens on it – frankly, women live longer than men, and the practical outcome of that might be that in instances where women are living alone in retirement village facilities their

voice is not on an equal footing – for example, with people where there are two occupants of any home, where, to the example that you gave, the gentleman might be the first person –

David Davis interjected.

Harriet SHING: I accept the challenge that you have identified there, Mr Davis, but the answer to the challenge is not found, I would suggest, with the solution that you have provided around rights vesting in each individual in a household. But this is again about making sure that the rights vest with a property and that therefore we are providing assistance to people and a capacity to participate in a way that does not disadvantage people who are living alone.

David DAVIS: I just register that there is a challenge there, and we will move on. There is another question related to committees and so forth: why is there no specified time period for an operator to call an annual meeting under the proposed 33Q such as within, say, three months of the previous financial year?

Harriet SHING: It is an annual meeting, so it will occur once a year. It is about how much time is provided, and that might vary from village to village, but in any event, that will be something which villages will take into consideration when providing notice to residents. They are in a position to provide people with notice in any number of different ways, whether that is pin boards or some form of electronic communication, and that may vary, but the holding of a meeting is for annual purposes, therefore must take place once a year.

Just further to the answer I gave to your previous question, Mr Davis, I also wanted to give a bit more context around the challenge that you identified around couples having one vote and singles having one vote, and the impact that that might have. I have just noticed that couples still only pay one amount of incoming contributions as well, so that ties to the residence, and therefore it would be an inequitable outcome to apply double the amount of voting influence in a circumstance where one amount of incoming contribution is paid both for couples and for singles living in retirement units.

David DAVIS: I will just note the minister is tying a property qualification to voting rights now, but I will just let that go. The issue of capital replacement and maintenance has caused a fair bit of discussion and angst on all of this for operators and residents, as it risks leaving residents worse off in the long run and will cost operators more. Can the minister explain the thinking behind including two separate funds for capital maintenance and capital replacement? And does the minister accept that an item of capital needs replacement, but could be repaired to some degree in a temporary fix, which would result in operators preferring a temporary fix rather than a full replacement?

Harriet SHING: I note, Mr Davis, that to this point you have moved an amendment in relation to a removal of the ability for residents to seek assistance from a complaints and conciliation scheme where an operator does not reimburse them for urgent repairs that the resident has arranged and reflects a broader shift in maintenance responsibility to residents. The proposed amendments that you have put are intended to unwind those proposed reforms that clarify the responsibilities of residents and operators for maintenance of capital items in the village, so you are indicating that the bill currently provides that capital maintenance and replacement is the responsibility of operators, including in individual units of non-owner residents, and that capital items include infrastructure, equipment or fixtures of the retirement village.

As you are arguing, the resident should be responsible for capital maintenance within the resident's premises. So for an item of capital which the operator is aware requires replacement rather than maintenance, you are saying it should be funded from the maintenance changes or the capital maintenance fund and an operator may establish a sinking fund or use an existing sinking fund for the replacement of items of capital. For example, many operators may have a sinking fund, which is funded from deferred fees payable by residents, and there is some confusion about what will constitute fair wear and tear and what will constitute renovation when determining the responsibilities of each

party at the time of departure and if a resident should be responsible for fair wear and tear of their premises.

The bill actually reflects that non-owner residents have no title or ownership interest of their premises, receive no capital gains benefit from sale – unless otherwise agreed – cannot modify the unit as an owner would without seeking approval and receive no benefit from the replacement of capital items or refurbishment of the premises upon exiting the village. Your proposed amendments would effectively lock all residents into a refurbishment arrangement that would require reinstatement of the premises to as new, including by rectifying any fair wear and tear. That is at odds with the Residential Tenancies Act 1997 and the reforms that we have introduced, including as they relate to fair wear and tear – noting of course that there are depreciation opportunities for a return through various application and rebate processes. That would create pretty significant uncertainty between the scope of reinstatement obligations and operational renovation agreements. Your amendments would also effectively impose responsibility for all capital maintenance on residents for a premises they do not own. That could include building work involving often, I can imagine, really significant costs. That might extend to something as significant as restumping work or roof repairs. Residents would be expected to fund these repairs outside of their entry payment and payment of their recurring maintenance charges. When we are talking about unforeseen costs of that magnitude, we are also talking about unforeseen imposts upon savings, where for retirees, there will often be very, very careful planning around the income or the assets available to people to dissolve in order to meet those costs.

The amendments you have put would also effectively require residents to fund replacement of capital items within the village. That includes communal buildings via the capital maintenance fund, maintenance or capital replacement fund, if any. That is part of the effect of your amendments, and that could include maintenance or replacement of any common buildings or equipment owned by the village proprietor. This would be an outcome that would shift the responsibility that would otherwise sit under the Residential Tenancies Act to occupants of a home that is not held by them – ostensibly a long user arrangement under contract and regulation in the Retirement Villages Act – to somebody who will not have the permanent benefit of investment in that maintenance, upgrade, repair or return to new.

David DAVIS: Contrary somewhat to what the minister has just said, it seems to me that the government did include the provision for an item of capital needing maintenance or replacement to be repaired by a resident at their own cost, when this is the responsibility of the operator. Should it not be the requirement for an operator to provide this service? Further, the bill does not define what ‘immediately’ means. Therefore something that may not actually be an urgent repair or replacement can be deemed so by a resident, causing more issues. I ask: how will this be regulated by government? What defines what is urgent, or whether a replacement should have been a repair?

Harriet SHING: When we talk about ‘immediate’ or ‘urgent’ we are talking about matters of a pressing nature. And again, to take you to some of the contributions that were made in the course of the second-reading debate, urgency might relate to flooding. It might relate to a complete lack of access to various parts of the home – ingress, egress. Again, it will depend on the circumstances at play. Were we to try to define it, we would arguably be creating a greater measure of ambiguity in circumstances where a ‘matter of urgency’ would vary depending on the person, depending on the residence, depending on the location or depending on the matters at play where amenity was so affected as to require immediate or urgent rectification assistance or remedy.

David DAVIS: It does seem to me – and I will just make a comment and move on to another point – that it does leave that very wide open and unclear. I get that it is a common definition of the word, but at the same time there are some risks in that.

With respect to disputes, can the government provide further information on the proposed dispute resolution service to be formed within the department and what cases it would handle? This is

clause 57. What framework did the dispute resolution model, both for the villages and for the department, come from? What other state or retirement village systems were used for this model?

Harriet SHING: Internal dispute resolution in this bill addresses the practical experience of the way in which complaints and disputes can arise between residents and operators, renaming a management complaint to a management dispute or one between residents as a resident dispute so defined. Preserving resident amenity and harmony is really important, and it is crucial that there is a really simple and accessible way to resolve disputes that brings together internal and external processes. The bill has got a range of reforms to internal dispute resolution processes that are geared toward ensuring that disputes are dealt with effectively, efficiently and objectively, including by way of clarification that a request for action made by a resident to an operator – for example, a request by a non-owner resident for urgent repairs, to go back to the point we were just discussing – is not a management dispute; requiring operators to establish and maintain a procedure to be used by the operator for dealing with village disputes and publish the procedure on their internet site – again, talking to the point about accessibility of information that we touched on before; clarifying that the requirement to record a management dispute or resident dispute is triggered where the relevant dispute has not been resolved to the resident's satisfaction within 72 hours; removing the role of residents committees in internal dispute resolution; requiring operators to provide residents with a copy of their internal dispute resolution procedures and publish a copy on their website; and requiring operators to provide an alternative contact for internal disputes for circumstances where it is not appropriate for residents to engage with the primary contact person.

Residents are encouraged to use internal dispute resolution processes to support really quick resolution at a village level, but there is no requirement for a resident to first go through an internal dispute resolution process before accessing the external complaints and conciliation scheme if they have a retirement village dispute. This would be about making sure that residents can access the new complaints and conciliation scheme directly, and this will ostensibly improve dispute resolution processes in a way that responds to stakeholder feedback to the act review. Stakeholders told us that the current external dispute resolution processes can be really complex, costly and time consuming, and many older residents find VCAT hearing and prehearing processes to be really difficult and really intimidating, particularly where there is a tendency to use very legalistic or technical language or processes. Mr Davis, you and I would not know anything about that, speaking as we do in plain and ordinary terms ourselves. Possible repercussions for making a complaint against village operators was also a matter of concern raised in stakeholder feedback, and also the costs and difficulty of obtaining legal representation.

So in addressing these concerns the bill will establish an external complaints and conciliation scheme to provide faster and more accessible dispute resolution for retirement village residents, and that includes free conciliation for disputes between residents and also between residents and village operators, supported by close connection to Consumer Affairs Victoria. That is about promoting good-faith participation. Where parties can agree to resolve their dispute, they get a formal record, for example, of agreement, and this would also be supported by the retirement villages code of practice, and the director of consumer affairs will be empowered to take appropriate regulatory action in response to any non-compliance with the code of practice.

David DAVIS: The minister's mention of codes of practice just brings up a further question I have. Given the lengthy period of consultation already undertaken on the bill, how long does the government expect to undertake consultation on the code of practice and with whom will the government consult on that matter?

Harriet SHING: It is intended that further work on the implementation of the reform package will occur between passage and commencement of the bill in late 2025, and further work will include an extensive program of consultation with industry and resident stakeholders to develop regulations to implement the reforms. The code will be prescribed in regulations and developed by the director of Consumer Affairs Victoria, and the director, under this bill, will be required to consult with key

retirement village industry stakeholders, including representatives of village proprietors, operators and residents.

The code will be developed, as I said, in careful consultation with stakeholders and established in regulation, and it will also bring, importantly, Victoria into line with regulatory approaches taken in other jurisdictions, including South Australia, Western Australia and New South Wales. It will build on the voluntary *Retirement Living Code of Conduct*, which was developed and supported by the Retirement Living Council and Leading Age Services Australia. Existing codes of conduct rules will be considered in developing a mandatory code in Victoria, and it is also intended to replace the existing Victorian government ‘Good practice protocols for retirement village operators’, which set out a benchmark of good practice measures that retirement village operators can adopt to prevent common issues from becoming disputes and to promote good relations in retirement villages. Again, this is underpinned by the importance of the reality of people living in close proximity to each other and being reliant upon operators for the purpose of their homes and their quality of life, and this is where preservation of relationships, enhancement of relationships and early intervention and prevention of any sort of dispute that unravels the productive and positive nature of relationship are at the heart of this work.

Aiv PUGLIELLI: I will try really hard not to duplicate anything in the interests of time. Just in relation to the eviction clause, which I understand outlines the conditions under which a contract can be terminated due to a substantial breach, there is concern that I have heard from the sector about part of the new eviction clause stating that a substantial breach can include:

... one of many breaches by the resident that are persistent and, in the circumstances justify the termination of the contract ...

I understand their opinion is that this section is too broad and is open to abuse by operators. Can you explain the rationale as to why this particular element was added to the bill? What problem is it seeking to address?

Harriet SHING: The bill is clarifying processes around the end of a retirement village contract, where there is a desire to proceed with a contract termination, and this will enable an operator to end a residence on two grounds only – so that is, a substantial breach of the contract by the resident or health and safety reasons, where a resident may not be able to safely remain independent in a retirement village. That includes residents who occupy a unit under a periodic agreement or under a fixed-term agreement, and the bill introduces a suite of safeguards for residents facing contract termination, again underpinned by that desire to address a power asymmetry and the importance of the provision of accurate and accessible information.

Defining ‘substantial breach of contract’ narrows the circumstances that would justify terminating a resident’s contract. The bill introduces a standard form breach of contract notice to ensure that residents are fully informed of alleged breaches and the steps required to resolve the issue and a new requirement to prevent an operator from giving a resident a notice to end their contract unless it is reasonable and proportionate in the circumstances to do so, and it expands VCAT’s jurisdiction to hear matters relating to breach and termination notices and applications to terminate a contract for health and safety reasons, providing an opportunity for residents to be heard prior to termination of a resident’s contract. The proposed process for termination will apply both to existing contracts and contracts entered into following the commencement of the reforms, noting that the bill provides for a transition provision to ensure the amendments do not disrupt any termination process that might be underway at the time that the bill enters into law.

The definition of ‘a substantial breach’ imposes a really, really high bar, and that reflects the enormity of a decision to terminate a contract –

The DEPUTY PRESIDENT: Sorry, Minister, I am going to have to interrupt you because, as it is 6:30, it would normally be the dinner break.

Business interrupted pursuant to standing orders.

Harriet SHING: I move:

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

Motion agreed to.

Harriet SHING: Again, termination of a contract is a last resort. A breach would be specified as substantial if the resident intentionally or recklessly caused serious damage to the retirement village; if the resident posed a serious threat to the life, health, safety or welfare of any other resident, operator, employee or contractor; or the breach involved persistent or multiple breaches by the resident which are enough to justify termination of the contract. Again, when we are talking about persistent and multiple breaches by the resident, they include, for example, a continued failure to pay recurring fees and charges relating to the occupation of their unit, and in those circumstances it is appropriate that village operators and proprietors have an option available to formally request a resident cease committing the breach and terminate the contract if that is not possible.

This new definition works with the new reasonable and proportionate test requiring operators to consider the following matters: whether the retirement village principles are at play, including the dignity of the resident and their preferences, and again, dignity and respect are at the heart of this bill and what is being affected by these changes; the effect that terminating the contract will have on the health, safety and wellbeing of the resident, so what the consequences are for the resident beyond the termination of a contract and the cessation of their living arrangements in that retirement village; whether any other course of action is reasonably available, and again that is by reference to the enormity of a potential cessation or termination of the contract; the risk to anyone else in the village if the contract is not terminated – again, what it means if somebody is not required to leave, as far as the quiet enjoyment and amenity for other people within that village environment goes; or any other matter prescribed in regulations.

Aiv PUGLIELLI: Are you able to speak to a situation which would justify termination under this definition but not otherwise?

Harriet SHING: Again, if we are talking about a one-off – for example, intentionally or recklessly causing serious damage to the village – that is in contradistinction, for example, to those persistent breaches around recurrent non-payment of fees. Again, I do not want to create a false equivalence here where we are talking about violence on the one hand and the non-payment of fees on the other, but that might give you a sense of the uniqueness of a single course of action versus perhaps a series of acts which in the aggregate identify a substantial breach, if that provides you with some clarity.

Aiv PUGLIELLI: Does the government have any kind of record of the eviction clause being successfully used to evict residents who have substantially breached their contracts? If so, can you speak somewhat to those circumstances?

Harriet SHING: Do you mean in other jurisdictions?

Aiv PUGLIELLI: Anywhere.

Harriet SHING: Retirement villages will not necessarily have that information, particularly where we are talking about what is now going to potentially fall within the remit of the new definition of ‘persistent or multiple breaches’. This is where again we are talking about any number of different circumstances that are on a case-by-case basis. But that is ultimately what VCAT does in pulling apart circumstances in order to make out a breach and, where a breach is made out, to make various findings around what the outcome or the consequence of that might be.

Aiv PUGLIELLI: Are you able to speak just a little bit more to an example where there are multiple breaches that then reach the substantial threshold?

Harriet SHING: When we are talking about persistent and material breaches of a contract, there may well be conduct that does not in and of itself amount to a substantial breach, as I have outlined in answering earlier questions – an intentional or reckless causation of serious damage to a retirement village or a serious threat to life, health, safety or welfare of any other resident, operator, employee or contractor. Where we have examples of behaviour that compromise the quiet enjoyment by others of a retirement village environment, again this is about proportionality. People, when they go to live in a retirement village, want to have the sort of amenity and quality of life that they have signed up for. There may well be a one-off incident that causes a measure of disruption to that. In and of itself that may well not constitute a substantial breach. Where we are talking about, for example, a pattern of behaviour, this is something that VCAT might turn its mind to – the extent to which that constitutes a pattern of behaviour and then the proportionality components and the principles there that apply. The way in which we work alongside that work is something where we would be guided by VCAT. But again it is about, back to the breach definition earlier, intentional or reckless serious damage to the retirement village or a serious threat to life, health, safety or welfare of any other resident, operator, employee or contractor.

Aiv PUGLIELLI: Just to follow on, potentially to speak to some concerns that could be assuaged in the community, on patterns of behaviour and quiet enjoyment, if a resident was, say, picking all the flowers in the village, was warned three or so times and continued to do so, does that count as a substantial breach? What if it happened a dozen times? Could you potentially speak to this example?

Harriet SHING: The example you have given may be a minor breach, unless we are talking about some extremely rare variety of flower or the denuding of an entire greenhouse. But the sort of circumstance that you have just described, in terms of the bill, would not be something that would amount to a substantial breach by virtue of – again, in the circumstances you have described – an aggregate number of minor breaches.

Aiv PUGLIELLI: Just three more from me, and these are on exit arrangements. We know that operators make the bulk of their profit when residents depart, through exit fees, so the issue is that operators are then incentivised, or so I have heard, to pressure and harass residents to leave. What will prevent dodgy operators from using the new section to threaten residents with eviction for seemingly small issues, which they might suggest that if combined would reach the substantial threshold?

Harriet SHING: This is a really, really important part of these reforms. We know, in a related matter, that the power imbalance is something which disproportionately affects older people. Whether it is elder abuse, whether it is coercive control or whether it is exploitation, we know that it is older people who are more vulnerable, for example, to scams. That in and of itself can constitute real loss and damage to people who can often be talked out of their entire life savings. I think we probably all know somebody who has fallen into that category. This is where the code of practice will be developed in regulations, and we will really, really carefully consider protections for residents from unconscionable behaviour by operators. Again, it is about making sure, back to those principles that we discussed earlier of dignity and of respect, that access to the best measure of a level playing field can be facilitated through these reforms.

Aiv PUGLIELLI: There has been some concern raised from residents that the new 12-month exit entitlement clause will lead to providers slowing down the process and taking longer than the current situation to return funds to existing residents. Are you able to provide some assurances to the house that this will not be the case?

Harriet SHING: The decision to choose a time period of 12 months was informed by some independent cost modelling for exit entitlement options, and that included the option of a default time period of 12 months, amongst other options. The proposed 12-month period aligns with other jurisdictions. As I indicated to Mr Davis, WA and South Australia also introduced retirement village amendment legislation in 2004. This will provide adequate time for operators to manage their accounts, and the cash flow of village operators is not expected to be significantly impacted. We will

also have public consultation on the exposure draft bill, informing consultation and an updated LIA, which was informed by the independent cost modelling for the retirement villages and housing legislation amendment bill process. The updated recommendation for the preferred option was 12 months for the repayment of exit fees. That best balances the desire for government to be able to support vulnerable and disadvantaged consumers with the cost burden imposed on industry and government.

Aiv PUGLIELLI: Just one more from me. If residents feel that providers are on the go-slow with returning their funds for no genuine reason, what recourse do they have? Who can they report this to?

Harriet SHING: There is a new provision being inserted into the act to allow for the appointment of an independent valuer in circumstances where an exit entitlement cannot be agreed upon by the relevant parties. The former resident and the retirement village proprietor will pay the costs of an independent valuer in equal shares. That is an approach that provides for a really fair and balanced process for all relevant parties when determining exit entitlement values.

We will also have a range of other supports and changes. The bill introduces a new alternative accommodation payment to allow departing residents to meet the reasonable costs of alternative accommodation that is not a residential aged care facility, and the bill supports payment of aged care payments to be deducted from the resident's exit entitlement and recognises that residents who leave a retirement village to access care in an aged care facility need really prompt access to funds to pay for those care arrangements. VCAT will also be empowered to make orders regarding aged care payments and accommodation payments. The reform provides certainty to people at a point that indicates that 12 months will be the absolute outer limit, and again, this is about making sure that we have really good communication of what the expectations are and what better or best practice looks like. Again, there is a surging market based on demographic change for people to move to residential retirement facilities and villages, and this is something which will indicate that the better a village can be, the better an operator can function, the more likely they are to have reputational success as a consequence of dignity and respect, which underpin this bill.

Rachel PAYNE: Minister, my questions relate to clause 64 around insurance. If you are happy for me to ask in clause 1, that will ease the process. During the inquiry into the 2022 flood event in Victoria, residents gave evidence in relation to the underinsurance of the Rivervue Retirement Village by Tigecorp, the operators. Under this bill, retirement village owner-operators are required to disclose certificates of insurance and details of any funds set aside to insure against damages to the village – that is, self-insurance. Additional disclosure requirements can also be prescribed by regulation in relation to insurance. Can the minister confirm that regulations will include a requirement for owners and operators to disclose information not available in the certificates of insurance, including underinsurance, exclusions, risks not insured and any summarised information that lacks important details?

Harriet SHING: As your colleague Mr Ettershank would be aware following discussions that have been occurring between him and the originating minister, Minister Staikos in the other place, there has been correspondence around this issue. To that end the minister has indicated that this will be able to be considered as part of the broader consultation from here. But just for avoidance of any doubt, I am not making any commitments to you in the course of this committee stage. Again, it is something that can be considered as part of the consultation process from here.

Rachel PAYNE: In relation to annual reports residents will receive on the status of their contracts, will the report contain additional information relating to insurance, such as the name and address of the insured, the location of the insurance risk and the period of coverage?

Harriet SHING: The information statement is a really crucial part of this work here, where it will provide information to residents along the lines of what you have just talked to, and the contract will also be a provision of information for that purpose. It is about making sure that people have good

access to information. That is what has driven these changes, so the information statement will be a key port of call for people in understanding the sorts of issues that you have just outlined.

Rachel PAYNE: You may have covered this in your initial response to the first question I had, but I will continue to go forward. Continuing on with additional information relating to insurance, will the residents annual contract report include information on (a) the type of cover split between specific risks, including buildings, equipment and furnishings in common areas and in resident units, public liability and business interruption insurance; and (b) the limit of indemnity of each with specific information on the building value limit of indemnity, the equipment and furnishings limit of indemnity, the public liability limit of indemnity and the business interruption insurance limit of indemnity, including the amount and period of time that residents will receive compensation for when their unit is uninhabitable?

Harriet SHING: Again, this may well have formed part of the discussions which your colleague has had with the minister, and that is something that will be open as part of consultation and discussion to be included in the wheelhouse of that work.

Rachel PAYNE: Will the residents annual contract report include information on (1) the basis on which each cover was assessed, whether it was through a broker, valuer or the operator of the village; (2) the excess in respect to each cover; and (3) specific policy exclusions and the reasons for the exclusions?

Harriet SHING: Again, that will be a matter that the minister, as I think he has indicated to your colleague, is able to consider as part of consultations. But again, for avoidance of any doubt, there is no commitment in this committee stage to do the work that you have proposed in terms of inclusion of that information.

Rachel PAYNE: Can the minister provide a timeframe for when these insurance-related regulations will be ready?

Harriet SHING: 1 May 2026.

Rachel PAYNE: Minister, thank you for that very succinct reply. And my final question: what is the process for reviewing the regulations to ensure that they are working, and when will the review be conducted?

Harriet SHING: There is no prescribed timeframe for a review. No doubt you and your colleagues and indeed anybody else in this place will have any number of different opportunities to propose a review, and the regulations-making process might then be informed by consultation on those matters, as previously indicated in my answers to you on other matters.

Clause agreed to.

Clause 2 (18:54)

David DAVIS: The first of our amendments relates to the commencement date. I move:

1. Clause 2, line 18, omit “1 May” and insert “31 October”.

Harriet SHING: The government will not be supporting this amendment.

Aiv PUGLIELLI: From the Greens perspective, we do not want to push out the commencement of the bill. We are keen to see the new provisions begin sooner rather than later, so we will be opposing the amendment.

Amendment negated; clause agreed to; clauses 3 to 5 agreed to.

Clause 6 (18:56)

David DAVIS: I move:

2. Clause 6, lines 26 to 33 and page 6, lines 1 and 2, omit all words and expressions on these lines and insert –
 - “(a) made to meet the reasonable recurring costs of caring for the person in a place that is not the retirement village or a residential care facility, and includes a payment for the purposes of a residential rental agreement under Part 2 of the **Residential Tenancies Act 1997**; and”.

This relates to an alternative accommodation payment definition.

Harriet SHING: The government will not be supporting this amendment. It creates uncertainty as to when alternative accommodation payments can be requested, including where a resident wants to move to another village. These amendments also require residents to deliver vacant possession, as we have discussed before, which would leave residents out of pocket for longer and may result in some being unable to move out of a village when or as they need to. The detail in Mr Davis’s amendment in relation to requiring residents to provide information when requesting alternative accommodation payments will be prescribed in regulations under new section 32T(2).

Aiv PUGLIELLI: We will not be supporting this amendment as we are comfortable with the provisions for alternate accommodation. It is my understanding that this change has been proposed by retirement village operators, and I have not been convinced that this would materially benefit residents, which is my primary focus here.

David DAVIS: As I outlined earlier in the discussion, our amendments have been formed after a lot of discussion between operators and residents, particularly Tim McCurdy’s work that he has undertaken. This amendment makes various amendments, as I say, to the capital maintenance funds and related matters.

Amendment negated.

The DEPUTY PRESIDENT: I invite Mr Davis to move his amendments 3 to 5, which test a wide range of amendments.

David DAVIS: I move:

3. Clause 6, page 6, line 22, omit “*maintenance*” and insert “*item maintenance and replacement*”.
4. Clause 6, page 6, line 23, omit “38BL” and insert “38BK”.
5. Clause 6, page 6, line 24, after “*maintenance*” insert “*and replacement*”.

These amendments relate to capital maintenance and replacement funds. This would revert to the village having only one fund for both capital maintenance and replacement, funded by the maintenance charge and operators, as per the current system. Feedback from operators and residents indicated that separating capital item maintenance and capital item replacement into two funds would be detrimental to residents as operators would prefer to maintain an item from village funds rather than dipping into their own funds. The change ensures that the maintenance or replacement of capital is funded from one source and encourages continual upgrades as needed, making it fairer for long-term residents and enabling better accountability. As I alluded to, this has been discussed at great length with both operators and residents and negotiated with those groups.

Harriet SHING: Mr Davis, your proposed amendments are intended to unwind proposed reforms to clarify the responsibilities of residents and operators for maintenance of capital items in the village. This bill better reflects that non-owner residents actually have no title or ownership interest in their premises. They do not receive any capital gains benefit from sale unless it is otherwise agreed. As I flagged earlier, there are opportunities for operators to receive such gains. They cannot modify the unit as an owner would without seeking approval. They do not receive any benefit from replacement of capital items or refurbishment of the premises upon exiting the village. Your proposed amendments

would effectively lock all residents into a refurbishment arrangement by requiring reinstatement of the premises to as new, including by rectifying any fair wear and tear.

This would create significant uncertainty between the scope of reinstatement obligations and optional renovation agreements. Your amendments would also effectively impose responsibility for all capital maintenance on residents for a premises that they do not own, including building work, as I touched on earlier, that might in a serious example include restumping or roofing. Your amendments would also effectively require residents to refund replacement of capital items within the village. That could include maintenance or replacement of any common buildings or equipment owned by the village proprietor, and as I indicated earlier, the government will not be supporting your amendment.

Aiv PUGLIELLI: Further to the minister's comments, this bill currently provides that capital maintenance and replacement are the responsibility of operators. The Greens would like to see it remain this way and therefore will not be supporting these amendments.

Amendments negatived.

The DEPUTY PRESIDENT: Minister, I invite you to move your amendment 1, which tests your amendments 3, 5 and 6.

Harriet SHING: I move:

1. Clause 6, page 6, after line 25 insert –

“certificate of insurance, in relation to a retirement village, means a certificate issued by an insurer who has insured property in the village against damage which sets out the terms of the insurance policy given and the start and end date of the policy;”.

Amendment agreed to.

The DEPUTY PRESIDENT: Ms Purcell, I invite you to move your amendment 1, which tests your amendments 2 to 3.

Georgie PURCELL: I move:

1. Clause 6, page 9, after line 21 insert –

“pet means any animal other than an assistance dog within the meaning of the **Equal Opportunity Act 2010**;”.

Harriet SHING: Ms Purcell, I do not think I could have been any more effusive in my summing-up speech earlier. I am looking forward to the opportunity to have a pet not being unreasonably withheld to the extent that it enables me as a 60-year-old in 2046 to be surrounded by any number of animals to the extent that that constitutes a reasonable accommodation of a pet. Then I will be sure, Ms Purcell, to let you know about the extent to which they continue to provide me with joy, wellbeing and a lower resting heart rate.

Aiv PUGLIELLI: People love their pets, and may they have them well into their later years. The Greens will absolutely be supporting this amendment.

David DAVIS: We will not oppose this amendment. I make a couple of points. I am just going to put some things on record. I too am a dog lover, as people know. But further than that, I have been confronting this with my father in the recent period so I am actually very familiar with many of these matters as he seeks to look for a range of options. It is a real thing. I also note particularly that a number of the property groups that we have consulted on this matter in the short period, Ms Purcell – we did talk quickly – and I quote here from the national policy manager of retirement living at the property council:

[QUOTE AWAITING VERIFICATION]

Very quick chat with operators and we're not opposed. The inclusion of “unreasonably” and “singular pet” helps put our minds at ease. There is plenty of evidence for wellbeing increases with pet ownership –

and I could not agree more –

but some resident committees like strata might try to contract out of pet ownership, as they have in the past.

So I am just putting on record that there are even property sector people who have been quite reasonable in their response on this particular matter.

Amendment agreed to; amended clause agreed to.

Clause 7 (19:04)

The DEPUTY PRESIDENT: Mr Davis, I invite you to move your amendment 6, which tests your amendments 11 to 13 and 29 to 39.

David DAVIS: I move:

6. Clause 7, page 23, line 28, omit “adjusted” and insert “benchmark”.

This relates to the benchmark maintenance charge, and it seeks to replace any or all references to ‘adjusted maintenance’ with ‘benchmark maintenance’ charge. This change is designed to clarify the confusing terminology around the actual maintenance charge residents pay and the charge adjusted for CPI. Given the adjusted maintenance charge is not a charge but a guideline or a benchmark, replacing ‘adjusted’ with ‘benchmark’ will improve clarity and make it easier for residents to understand. This has been put to us by a number of residents and resident groups, and we think it is a very reasonable amendment.

Harriet SHING: Mr Davis, the adjusted maintenance charge is not benchmark. It is an actual maintenance charge payable by residents, adjusted annually in line with CPI and other prescribed increases in the Retirement Villages Act. Residents are not required to pay any amount higher than the adjusted maintenance charge unless that is otherwise approved at a meeting of residents, and that framework has been in place since at least 1997. A departure from existing language may cause avoidable confusion among current residents rather than providing the clarity that underpins the principles and objectives of this act, as discussed in contributions in the second-reading debate and in this committee.

Aiv PUGLIELLI: I appreciate that a number of resident advocates have supported this change in term. Nonetheless the Greens will not be supporting the amendment, as we believe the term ‘adjusted maintenance charge’ has been a longstanding term and has broad understanding already. I would also suggest that it is beholden upon operators to make sure they are clearly communicating these charges to residents and outlining what they mean and how they are calculated. Regardless of which term is used in the legislation, operators must outline these charges in a clear and understandable manner.

Amendment negatived.

David DAVIS: I move:

7. Clause 7, page 24, lines 1 to 5, omit all words and expressions on these lines.

This relates to capital maintenance replacement.

Harriet SHING: The government will not be supporting Mr Davis’s amendments. We have covered that extensively in the course of this committee stage.

Amendment negatived.

Harriet SHING: I move:

2. Clause 7, page 25, line 2, after this line insert –

“3EA Interpretation of vacant possession and permanently vacating

- (1) In this Act, in relation to a premises occupied by a resident in a retirement village, a reference to giving up or delivering vacant possession of the premises, however expressed, is a reference to the point in time when all the following have occurred –
 - (a) the resident has ceased to occupy the premises;
 - (b) all personal property of the resident has been removed from the premises;
 - (c) any keys to the premises have been returned to the operator or proprietor of the village;
 - (d) if the resident occupies the premises under a retirement village contract that requires notice to be given before the resident delivers up vacant possession of the premises, the notice has been given and the notice period has elapsed.
- (2) Subsection (1) is not intended to limit the common law meaning of delivering up or giving vacant possession of a premises.
- (3) In this Act, in relation to a premises occupied by a resident in a retirement village, a reference to permanently vacating the premises, however expressed, is a reference to the point in time at which the resident delivers up vacant possession of the premises.”.

David DAVIS: The opposition will not oppose this amendment. It is one of those that has been widely discussed and agreed across parties.

Amendment agreed to; amended clause agreed to; clauses 8 to 18 agreed to.

Clause 19 (19:08)

The DEPUTY PRESIDENT: I invite the minister to move her amendments 3 to 6, which have already been tested by her amendment 1.

Harriet SHING: I move:

3. Clause 19, page 49, after line 7 insert –

- “(fa) the prescribed information about or relating to all insurance arrangements that are in place in relation to the retirement village (other than policies of insurance held by residents of the village) including –
- (i) details of any insurance policies in force over all or part of the village and copies of any relevant certificates of insurance; and
 - (ii) details of any funds set aside by the operator or proprietor to insure against any potential damage to the village by whatever means;”.

5. Clause 19, page 67, after line 3 insert –

- “(ea) the prescribed information about or relating to all insurance arrangements that are in place in relation to the retirement village (other than policies of insurance held by residents of the village) including –
- (i) details of any insurance policies in force over all or part of the village and copies of any relevant certificates of insurance; and
 - (ii) details of any funds set aside by the operator or proprietor to insure against any potential damage to the village by whatever means;”.

6. Clause 19, page 68, after line 3 insert –

- “(ba) the prescribed information about or relating to all insurance arrangements that are in place in relation to the retirement village (other than policies of insurance held by residents of the village) including –
- (i) details of any insurance policies in force over all or part of the village and copies of any relevant certificates of insurance; and
 - (ii) details of any funds set aside by the operator or proprietor to insure against any potential damage to the village by whatever means;”.

Amendments agreed to.

The DEPUTY PRESIDENT: I invite the minister to move her amendments 4 and 7 to 11, which test her amendment 23.

Harriet SHING: I move:

4. Clause 19, page 63, lines 6 to 12, omit all words and expressions on these lines and insert –
“expiration of the period during which the contract can be rescinded under section 26X.”.
7. Clause 19, page 78, lines 16 to 28, omit all words and expressions on these lines and insert –
“(1) Despite anything to the contrary in the **Sale of Land Act 1962**, a person who signs a residence contract to become a resident in a retirement village may, at any time before the end of the period of 7 business days after signing the contract, rescind the contract in accordance with this Act.
(2) If a person rescinds a contract under subsection (1), the person is entitled to the return of all money paid under the contract by the person, except for the prescribed administration fee, if any, which may be retained –
(a) if a contracting party has entered into the contract, by the contracting party; or
(b) if an owner resident has entered into the contract, by the owner resident.”.
8. Clause 19, page 78, line 31, omit “resident that the resident may” and insert “person who signs the contract that the person may”.
9. Clause 19, page 78, line 32, omit “3 clear business days after the resident” and insert “7 business days after the person”.
10. Clause 19, page 78, line 34, omit “resident” and insert “person”.
11. Clause 19, page 79, lines 3 and 4, omit “a resident who is a party to the contract” and insert “the person who has signed the contract to become a resident”.

Amendments agreed to; amended clause agreed to; clauses 20 to 33 agreed to.

Clause 34 (19:09)

David DAVIS: I move:

8. Clause 34, page 101, line 20, after this line insert –
“(ia) the following details about those alternative accommodation arrangements –
(A) evidence that the arrangements have been entered into and of the terms of the arrangements; and
(B) evidence that the person making the request is liable to make payments for the right to occupy premises under the arrangements and of the amounts that the person is liable to pay;”.
9. Clause 34, page 103, lines 6 to 24, omit all words and expressions on these lines.
10. Clause 34, page 103, lines 29 to 31 and page 104, line 1, omit all words and expressions on these lines and insert –
“made under section 32R must be made on the date that the person making the payment request delivers up vacant possession of the person’s premises in the retirement village.”.

These relate to alternative accommodation payments.

Harriet SHING: Mr Davis, as you are aware and as we have covered in the committee stage, the government will not be supporting this amendment.

Amendments negated; clause agreed to; clause 35 agreed to.

Clause 36 (19:10)

Harriet SHING: I move:

12. Clause 36, page 113, lines 28 to 31, omit all words and expressions on these lines and insert –
“(2) The quorum for a meeting of residents is –

- (a) for a retirement village with 40 or more residents who are entitled to vote in the meeting, 25% of those residents; or
- (b) for a retirement village with 20 or more residents but fewer than 40 residents who are entitled to vote in the meeting, 10 of those residents; or
- (c) for a retirement village with fewer than 20 residents who are entitled to vote in the meeting, 50% of those residents.”.

Amendment agreed to; amended clause agreed to; clause 37 agreed to.

Clause 38 (19:10)

David DAVIS: These amendments relate to audit of financial statements. I move:

- 21. Clause 38, line 21 omit “reviewed” and insert “audited”.
- 22. Clause 38, lines 22 to 33 and page 121, lines 1 to 20, omit all words and expressions on these lines and insert “qualified auditor and whose appointment has received the consent (or is taken to have received the consent) of the residents under subsection (3).
- 23. Clause 38, page 121, line 21, omit “(4)” and insert “(2)”.
- 24. Clause 38, page 121, line 21, omit “or reviews”.
- 25. Clause 38, page 121, line 23, omit “or review”.
- 26. Clause 38, page 121, lines 24 to 35 and page 122, lines 1 and 2, omit all words and expressions on these lines and insert –
 - ‘(3) The operator of a retirement village must seek the consent of the residents of the village to the appointment of an independent person who is a qualified auditor as the auditor of the accounts of the village in the following way –
 - (a) the operator must give each resident written notice (a *consent request notice*) stating the following –
 - (i) the name of the person proposed for appointment;
 - (ii) the qualifications of the person;
 - (iii) the address of the person;
 - (iv) the proposed period of appointment.
 - (b) if the audit fees are to be paid by the residents, the fees must be included in the consent request notice and itemised in the annual financial statements.
 - (4) The consent must be sought each calendar year unless consent is given for a longer period of appointment, not exceeding 3 years.
 - (5) Within 28 days after receiving a consent request notice, the residents of the retirement village must –
 - (a) meet, consider and vote on –
 - (i) the proposed appointment of the person as the auditor; and
 - (ii) if the proposed period of appointment is more than one year, the proposed period; and
 - (b) give the retirement village operator notice in writing (a *consent response notice*) that the residents consent, or do not consent to –
 - (i) the appointment of the person as auditor; and
 - (ii) if the residents consent to the appointment but not the proposed period of appointment, the period of appointment to which the residents consent.
 - (6) If the residents of a retirement village do not consent to the appointment of the person as the auditor –
 - (a) the residents, by notice in writing given to the operator, must propose a qualified auditor as an alternative person on whom the residents have agreed by a vote for appointment; and
 - (b) if the alternative person is appointed, the audit fees of the auditor must be paid by the residents as part of the annual financial statements.

- (7) A notice under subsection (6) may be given –
 - (a) in the consent response notice; or
 - (b) in a further notice in writing given to the operator, but only if –
 - (i) the intention to provide the further notice is indicated in the consent response notice; and
 - (ii) the further notice is provided within 30 days after the consent response notice is given to the operator.
- (8) The residents of a retirement village are taken to have consented to the appointment of the following person as auditor of the accounts of the village –
 - (a) the person proposed by the operator (but only for a period of 1 year if a longer period was proposed by the operator), if the residents do not advise the operator of the village of their decision as required by subsection (5)(b) or (6);
 - (b) the person proposed by the residents, if the operator of the village agrees to the appointment of an alternative person proposed by the residents under subsection (6).
- (9) In this section –

qualified auditor means a person who is a member of, and who holds a current practising certificate from –

 - (a) CPA Australia; or
 - (b) the Institute of Public Accountants; or
 - (c) Chartered Accountants Australia and New Zealand.”.

Harriet SHING: We have not actually touched on this, so I am just going to refer to it briefly. The Retirement Villages Act currently requires the auditing of each annual village financial statement unless residents pass a special resolution dispensing with the requirements. Existing auditing arrangements and requirements are time-consuming and costly, and they do not provide for adequate resident oversight. The bill requires village financial statements to be reviewed by a person who holds a current practising certificate from CPA Australia, the Institute of Public Accountants and Chartered Accountants Australia and New Zealand. Residents will continue to be able to have financial statements audited when needed if passed by a special resolution of residents. The reforms in the bill are financially prudent, and they save on auditing costs to only when residents hold concerns about financial management of the village.

The amendments you have proposed will remove the requirement for operators to present the auditor’s report to a meeting of residents, and this would result in less transparency and resident oversight of village management, including about the expenditure of their recurring maintenance charges. On that basis, and particularly given the principles of dignity and respect and the founding objectives of providing greater clarity, transparency and consistency for residents, government will not be supporting this amendment.

Aiv PUGLIELLI: Further to the minister’s comments, we are comfortable with the current arrangements, noting that the legislation already provides that residents can vote to have an audit undertaken should they wish to do so.

David DAVIS: I am happy to withdraw these amendments.

Amendments withdrawn by leave.

Clause agreed to; clauses 39 to 42 agreed to.

Clause 43 (19:12)

Georgie PURCELL: I move:

- 2. Clause 43, line 32, omit “2010.” and insert “2010; or”.

3. Clause 43, after line 32 insert –
“(e) unreasonably limit the keeping of a pet on a resident’s premises.”.

Amendments agreed to; amended clause agreed to.

Clause 44 (19:13)

David DAVIS: These amendments have already been discussed in part, 27 and 28, and relate to fair wear and tear. I move:

27. Clause 44, page 127, lines 17 and 18, omit “, taking into account fair wear and tear to the premises”.
28. Clause 44, page 128, lines 20 and 21, omit “, taking into account fair wear and tear to the premises”.

Harriet SHING: Thanks for those amendments, Mr Davis. We have canvassed this extensively in relation to other amendments that you have put and also the committee stage. Government will not be supporting these amendments.

Aiv PUGLIELLI: Further to comments made by the minister right throughout the committee stage, it is our position that residents should not be responsible for capital maintenance inside the units or for fair wear and tear. Fair wear and tear is the expected deterioration of their home, and just as renters should not be financially responsible for fair wear and tear, retirement village residents, we feel, should also not be.

Amendments negated; clause agreed to; clause 45 agreed to.

Clause 46 (19:14)

Harriet SHING: I move:

13. Clause 46, line 8, omit “**Former**” and insert “**Certain**”.
14. Clause 46, after line 14 insert –
“(2) If a resident of a retirement village dies before delivering up vacant possession of the resident’s premises in the village, the resident is not liable for a maintenance charge that arises on or after the time of death of the resident.”.
15. Clause 46, line 15, omit “(2)” and insert “(3)”.
16. Clause 46, line 16, after “village” insert “(as the case requires)”.
17. Clause 46, after line 24 insert –
“(4) If a resident of a retirement village dies before delivering up vacant possession of the resident’s premises in the village, the proprietor or operator of the retirement village (as the case requires) must not purport to charge a maintenance charge that arises on or after the time of death of the resident.
Penalty: 60 penalty units for a natural person;
120 penalty units for a body corporate.”.
18. Clause 46, line 25, omit “(3)” and insert “(5)”.

Amendments agreed to; amended clause agreed to; clause 47 agreed to.

Clause 48 (19:15)

Harriet SHING: I move:

19. Clause 48, page 142, line 3, after “village” insert “(as the case requires)”.
20. Clause 48, page 142, after line 12 insert –
“(2) If a resident of a retirement village dies before delivering up vacant possession of the resident’s premises in the village, the proprietor or operator of the village (as the case requires) must not levy a charge for optional services against the resident for any period on or after the time of death of the resident.
Penalty: 60 penalty units for a natural person;

120 penalty units for a body corporate.”.

21. Clause 48, page 142, line 13, omit “(2)” and insert “(3)”.

22. Clause 48, page 142, line 15, after “(1)” insert “or (2)”.

Amendments agreed to; amended clause agreed to.

Clause 49 (19:15)

The DEPUTY PRESIDENT: Mr Davis, I invite you to move your amendments to clause 49.

David DAVIS: Although these have not been directly tested, the broad intent I would argue has been tested, and to that extent I would withdraw my amendments.

Clause agreed to; clauses 50 to 60 agreed to.

Clause 61 (19:15)

Harriet SHING: I move:

23. Clause 61, line 14, omit “3 business days” and insert “7 business days”.

Amendment agreed to; amended clause agreed to; clauses 62 to 65 agreed to.

Clause 66 (19:17)

Harriet SHING: I move:

24. Clause 66, page 208, after line 15 insert –

“(3) On and from the commencement of section 6 of the **Retirement Villages Amendment Act 2024**, any reference in another Act or in regulations made under another Act to a *residence right*, within the meaning of this Act as in force before that commencement, being a reference in the other Act or regulations that was in force immediately before that commencement, includes a reference to a *right to occupy premises*, within the meaning of this Act as in force on and from that commencement.”.

Amendment agreed to.

Harriet SHING: I move:

25. Clause 66, page 211, lines 3 to 30, omit all words and expressions on these lines and insert –

“Despite the commencement of section 19 of the **Retirement Villages Amendment Act 2024** –

- (a) Divisions 2, 3, 5 and 6 of new Part 4 do not apply –
 - (i) to any resident of a retirement village who occupies the village under an applicable resident right; and
 - (ii) in respect of any applicable residence contract; and
- (b) sections 18, 18A, 18B and 20 to 26 of the old Act continue to apply to any such resident and to any such contract as if, in relation to the resident and contract, any reference (however expressed) to –
 - (i) an owner of a retirement village within the meaning of section 3 of the old Act were a reference to the proprietor of the retirement village occupied by the resident, and a reference to that owner’s agent were a reference to that proprietor’s agent; and
 - (ii) a manager of a retirement village within the meaning of section 3 of the old Act were a reference to the operator of the retirement village occupied by the resident, and a reference to that manager’s agent were a reference to that operator’s agent.”.

Amendment agreed to; amended clause agreed to; clauses 67 and 68 agreed to.

Reported to house with amendments.

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (19:19): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (19:19): I move:

That the bill be now read a third time.

In moving that the bill be now read a third time I want to thank every single person who has made a submission to the review and to various processes of consultation, and who has engaged so thoroughly and in such a meaningful way around good faith and around providing a measure of comfort, of consistency and of opportunity to people living in retirement villages. The objectives are all about making sure that people have – again, as we have discussed at length in this committee stage – respect, dignity and the full benefit of the principles that are outlined. Thank you also to Joel Blanch and to the community and the team that have been part of extensive conversations with the minister and with his office in the course of this debate.

Motion agreed to.

Read third time.

The PRESIDENT: Pursuant to standing order 14.28, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill with amendments.

Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024

Council's amendments

The PRESIDENT (19:20): I have received a message from the Legislative Assembly in respect of the Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024:

The Legislative Assembly informs the Legislative Council that, in relation to 'A Bill for an Act to amend the **Gambling Regulation Act 2003** and the **Casino Control Act 1991** in relation to pre-commitment and carded play and for other purposes' the amendments made by the Council have been agreed to.

Adjournment

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (19:20): I move:

That the house do now adjourn.

LGBTIQA+ homelessness services

Sonja TERPSTRA (North-Eastern Metropolitan) (19:20): (1643) I wish to acknowledge and commend the Minister for Equality in the other place and the Allan Labor government for the continued investment in housing support for LGBTIQA+ Victorians, particularly through the Pride in Place initiative, and the action I seek is for the minister to join me in congratulating FAN. Family Access Network is a proud partner in the Pride in Place consortium, along with VincentCare Victoria, Drummond Street Services and Uniting (Victoria and Tasmania). I was heartened to see firsthand the work being done by FAN's dedicated team, who provide case management and tailored support for LGBTIQA+ young people aged 15 to 25 across my region. Noteworthy is the funding secured in the last state budget, which provides an additional year of support for the Pride in Place program. This investment builds on previous allocations – just a shade under \$250,000 to FAN in the 2021–22 budget

and then in the 2023–24 budget – and reflects the strong delivery record and trusted performance of partners like FAN and VincentCare Victoria. To date, Pride in Place has provided safe, inclusive support to over 570 LGBTIQ+ people experiencing or at risk of homelessness. It is a cornerstone of *Pride in Our Future: Victoria's LGBTIQ+ Strategy 2022–32*, ensuring that our homelessness services are inclusive and accessible to all. I thank the Minister for Equality for her ongoing support of this vital program and for recognising the importance of targeted, community-led responses that meet the needs of LGBTIQ+ Victorians.

Anam Cara House, Geelong

Georgie CROZIER (Southern Metropolitan) (19:22): (1644) My adjournment matter this evening is for the attention of the Premier. The action that I seek is for the Premier, as a matter of priority, to visit Anam Cara House, Geelong. I have been to Anam Cara on several occasions and seen firsthand the delivery of high-quality and compassionate care to those with a life-limiting illness. The dedicated staff who provide care and support to individuals who require palliative care or respite are exemplary. This facility has been built by the Geelong community for the Geelong community. Those staff that deliver that support and care extend beyond the healthcare professionals; they are the staff that deliver the respite programs to patients and admin and that provide assistance and support to families at a very difficult time. The staff's commitment and their ability to deliver high-quality care in such an environment should be commended and supported, not ignored by government.

Anam Cara already works extensively with a range of health services within the Geelong region. When I recently visited with the Leader of the Opposition, we heard firsthand from community members who had not only supported the organisation through their generous philanthropy but also their ongoing commitment to have such a facility that would be able to cater for the needs of the Geelong community. I have on a number of occasions requested that funding be provided, including through this year's budget. However, that very disappointingly was not forthcoming from the government. It has not been for large amounts of money. A couple of million dollars is not a lot to ask for when it can go a long way. It can have a massive impact on the quality of services that can be provided for someone who is dying and provide support and greater capacity to the existing public health system.

Premier, as has already been requested on a number of occasions by Anam Cara, the invitation for you to visit the facility is again being extended. The budget papers are titled *Focused on What Matters Most*. Well, if that is the case, then do not ignore these repeated requests. Dying with dignity matters, and I urge you to visit Anam Cara as a matter of priority.

Middle East conflict

Aiv PUGLIELLI (North-Eastern Metropolitan) (19:24): (1645) My adjournment matter is for the Premier, and the action I seek is that you advocate to your federal colleagues to impose sanctions on Israel. An SBS report states:

Israeli military strikes on schools, tent encampments and residential buildings have left dozens of Palestinian men, women and children dead ...

Another report states:

Israeli forces have killed more than a dozen Palestinian children in the Gaza Strip in the last 48 hours, while thousands more face the threat of imminent starvation amid a drastically deteriorating humanitarian crisis.

And another one states:

... they are the sounds of airstrikes and artillery bombardment which have killed about 750 people and injured 2,000 more across Gaza in the last week, mostly women and children, according to medical officials there.

This is just some of what we have been hearing out of Gaza in the last few days. Tens of thousands of children are at risk of starvation, if they are not bombed first, and Israel are openly and proudly stating that they are going to completely take over the Gaza Strip. We have utterly failed Palestinians. We

have failed Gaza. Instead we have seen weapons expos welcomed to our city. But still I plead to you, because we must not give up: Australia can still impose sanctions on Israel. The complicity must end.

The PRESIDENT: Mr Puglielli, was that an action to stop or to expose?

Aiv PUGLIELLI: That was an action to the Premier to advocate to their federal colleagues to impose sanctions on Israel.

Eastern Victoria Region arts sector support

Tom McINTOSH (Eastern Victoria) (19:26): (1646) My adjournment matter is for the Minister for Creative Industries, and the action I seek is for the minister to update the house on the support the government is providing the arts in Eastern Victoria, including through the recently announced creative learning partnerships program.

Community safety

David DAVIS (Southern Metropolitan) (19:26): (1647) My matter for the adjournment tonight is for the attention of the Minister for Police. We have seen in recent days an extraordinary turnaround by the Premier of this state and the government in terms of banning machete sales. We know what happened at Northland on the weekend, and I could not think of something more frightening than being out shopping with your family and having very threatening, dangerous individuals with machetes moving around a shopping centre – I mean, nothing could be worse – but this government has had four opportunities over nearly as many years to get on and actually ban the sale of machetes, and the government would not do it; in fact it mocked the opposition repeatedly. It basically carried on as though it was a terrible thing that we were pushing for, to have machete sales without a proper usage banned in Victoria. We pushed very strongly, and the state government, the Premier, the Minister for Police and the whole lot of them all pushed back the other way. I say that there could have been a different outcome on this if people had been prepared to listen and to engage. And now suddenly it is possible. It is possible to ban them and to do it quickly – to do it within days, within a day or two, within 40 hours. Suddenly there is this amazing change from the Premier. Instead of saying, ‘We could do it earlier,’ she would not say that.

But now there is still an outstanding matter. The outstanding matter relates to how the government is going to take the next step. It says only in September will it take the next step. I say that the Premier and the police minister should act earlier. They should bring these matters forward. There is no reason why they cannot act to clean up these failures on regulation of machetes in this state. The September date is too far away. We have heard once from the Premier that she cannot do it quickly, but it is frankly an untruth; it is a lie, and she should get on. My question today is to say to the Premier and the police minister: get on and take the next steps with machetes as outlined. Do not let it dither; do not let it delay – finally act. We cannot allow this risk for the community to continue, as we saw. We do not want any more Northlands.

Dame Phyllis Frost Centre

Rachel PAYNE (South-Eastern Metropolitan) (19:29): (1648) My adjournment matter is for the Minister for Corrections, and the action I seek is for lockdowns at the Dame Phyllis Frost Centre to immediately cease. Community legal services and support services have raised concerns on multiple occasions with the department about these lockdowns, which have become increasingly frequent. The facility claims that this is not due to staff shortages, but rather because of a change in administration processes and rostering. The impact of prison lockdowns and solitary confinement is well understood. It has a negative impact on social and emotional wellbeing and in some instances can be life-threatening. Due to these lockdowns, programs, calls and visits continue to be disrupted, with little to no notice. This includes legal and medical appointments.

In line with the 1991 Royal Commission into Aboriginal Deaths in Custody and the Yoorrook Justice Commission, solitary confinement in prisons needs to end. Despite these concerns being raised with

the relevant secretary and commissioner, as of today there has been no change to the frequency of lockdowns or commitment to reform. So far in the month of May alone there have been 11 days of reported lockdowns at Dame Phyllis Frost Centre. Compounding these concerns is a disturbing lack of data, including the facility's own failure to distinguish between a 15-minute and an all-day lockdown. At the moment the most thorough record keeping is not being done by unit staff or the department but by the women being held at the facility.

There is a clear need for truthful and accurate information on (1) the frequency and cause of the recent increase in lockdowns in 2025, (2) strategies and solutions currently in place to address this immediately and in the long term, (3) the classification of lockdowns as 'partial' or 'full' as well as factors considered when commencing them, (4) precautions in place to ensure there is access to culturally safe supports during lockdowns and (5) data and assurances on the provision of services. There must also be more fulsome and accurate data and evidence that data collection practices will be altered immediately. These practices must capture reasons and decision-making criteria, a list of all units locked down and the number of women impacted in each, including the number of Aboriginal and Torres Strait Islander women and the length of time of each lockdown. So I ask: will the minister immediately cease lockdowns at Dame Phyllis Frost Centre?

Victorian Aboriginal Legal Service

Jacinta ERMACORA (Western Victoria) (19:32): (1649) In this reconciliation week my adjournment matter is for the Attorney-General Sonya Kilkenny, and the action I seek is an update on the Victorian Aboriginal Legal Service, VALS, in Warrnambool. The 2025–26 budget announced last week funding of \$14 million to support Victorian Aboriginal Legal Service's regional hubs in Mildura, Bendigo, Morwell and Warrnambool and Koori women's and men's diversion programs in Gippsland and Mildura. The ongoing funding is significant for VALS to continue their work in Warrnambool since opening in July 2022. I look forward to an update from the Attorney-General on how Warrnambool VALS has progressed over the past three years.

Budget 2025–26

Richard WELCH (North-Eastern Metropolitan) (19:32): (1650) My adjournment matter is for the Treasurer, and the action I seek is from the Treasurer. The 2025–26 state budget is a budget of debt and decline. While Labor was busy spinning fantasy forecasts behind closed doors, thousands of hardworking Victorians rallied outside the Parliament. CFA volunteers, farmers and regional families united in opposition to Labor's cruel new emergency services tax. These are people who are already battling drought, rising costs and collapsing services. Now they are being punished with a tax grab dressed up as a reform. At the same time, the budget is completely devoid of productivity measures – not a single meaningful initiative to make government services more efficient, to reduce waste or to improve outcomes within our business sector. Despite Labor delivering a \$1 billion worse result than forecast, even after a \$3.7 billion GST windfall, there is no plan to deliver more with less. Victoria's debt is on track to be \$194 billion. That is \$28.9 million in interest every single day and over \$10 billion a year.

Victorians are paying more and more, but roads are falling apart, hospitals are at breaking point and public school funding has been slashed by \$2.4 billion. There is no sense in that we should be directing working capital back to businesses so that they may innovate, they may adopt new technologies, they may drive the state's productivity. Debt is growing faster than the state. That is why debt is going up. The only growth area we have is where government is borrowing and taxing more to spend more. It is not our industries doing it.

Nowhere is Labor's lack of productivity thinking clearer than in regard to AUKUS. While South Australia and Western Australia are moving aggressively to secure AUKUS-linked defence contracts, Victoria's government offers nothing but negative words about it. There is no plan, no engagement, no attempt to ensure that Victorian firms can win, work up, scale and compete on this once-in-a-generation industrial opportunity. This is not just about defence, it is about productivity. AUKUS

offers us the chance to lift local industrial capability, modernise supply chains, foster advanced manufacturing and create skilled jobs. But without leadership Victorian business will miss out while other states surge ahead. Labor promised discipline. What Victorians got was waste, debt and inaction. Productivity reform is not about cutting services, it is about delivering them better and empowering businesses to succeed. The action I seek from the Treasurer is to deliver targeted productivity initiatives, the kind missing from this budget, to ensure Victorian businesses are fully equipped to seize AUKUS opportunities and do not lose out to better prepared states.

Water policy

Sarah MANSFIELD (Western Victoria) (19:36): (1651) My adjournment is for the Minister for Water. The application currently submitted to Southern Rural Water requesting the extension of Alcoa's groundwater licence to fill their mine requires immediate attention. The action I seek is for the minister to urgently assume decision-making power over this application. In order to submit their work plan variation Alcoa have applied for a licence from Southern Rural Water to extract another 15 gigalitres of water from the upper Eastern View aquifer over the next 10 years to fill an old mine pit to make a toxic lake, while south-western Victoria battles the worst dry period on record. The previous Minister for Water stood in this place and assured the chamber that any plan for mine rehabilitation in Victoria would be assessed on the principle that these sites are made safe, stable and sustainable. While the community of Anglesea are deeply invested in the future of the decommissioned brown coal mine site, their local waterways are facing an immediate threat. Decades of water extraction to aid Alcoa's operations at the mine have already depleted underground aquifers and caused acidification of the Anglesea River. This has depleted the marine ecology, causing several mass fish kills. Further extraction from this vulnerable aquifer would leave the river with little chance of recovery. It is clear by granting this application the waterways of Anglesea would not be left in a safe, stable or sustainable state, contrary to the commitments made by the previous water minister.

Victoria's groundwater ecosystems must be protected for future generations. Groundwater acts as a buffer during times of drought as it sits close to the surface and keeps streams running. When groundwater drops the whole landscape loses the insurance that the buffer provides. As we rapidly approach the irreversible warming of our planet we must protect our water sources at all costs. Southern Rural Water's decision concerning this groundwater licence will directly impact the health of the Anglesea River and the ecosystems that depend on it, as well as the ability of this site to bounce back after decades of mining. It is up to the minister to acknowledge her responsibility for our state's vulnerable water sources and reject this application.

Education system

Michael GALEA (South-Eastern Metropolitan) (19:38): (1652) My adjournment is for the Minister for Education, and the action that I seek is that he update the house on how this government is supporting Victorian students in improving their numeracy and maths skills. Today we saw a rather significant announcement come from the opposition with regard to stamp duty. It is always good to see the Liberals jumping on board good Labor policy such as our very, very longstanding support through stamp duty concessions for first home owners. Of course you know that they still oppose housing and providing any sorts of housing options for people, but that is another subject.

What was more surprising, though, was to see the costings come out as part of that – that apparently this is going to cost \$1.9 billion over the forward estimates but is going to somehow provide support to 17,000 people per year. On very conservative estimates of using that \$750,000 threshold, that would lead to a total cost over the forward estimates of just over \$2.7 billion, a \$1.6 billion shortfall that is completely unaccounted for. We know that the Liberals cannot manage the economy. We know that they are not any good with managing money – and a \$1.6 billion shortfall, more than the entire amount of the announcement made, an error. Indeed, if you were to use the value of \$1 million as the average median price for these houses, it would be a \$3.7 billion cost over the forward estimates. So we know that the opposition have mucked up their figures again. Another Shadow Treasurer that does not have

the facts with him, does not know the numbers and probably does not have the numbers for much longer either – whilst Mr Newbury may wish to go for growth, he might be best to go back to school.

Yanakie automated weather station

Melina BATH (Eastern Victoria) (19:40): (1653) I will provide the house with an adjournment debate that actually has some relevance. My adjournment matter is for the Minister for Emergency Services. After 13 years of operation, the impending closure of the Yanakie automated weather station, announced by the BOM, is of great concern to the members of my community. Minister, working with the federal government, the Bureau of Meteorology and the South Gippsland Shire Council, I therefore seek your urgent attention to advocate for the continuity of the Yanakie AWS, which is scheduled to shut on 1 July this year, to ensure continuous localised weather data remains available for fire, storm and safety responses. This is not merely the decommissioning of a weather gauge, it is the removal of a critical piece of public infrastructure without any consultation, warning or justification.

Located on the Meeniyah-Promontory Road, one I know very well, the Yanakie AWS is instrumental in delivering real-time weather data to a wide range of stakeholders, including emergency services; the CFA; the Australian Volunteer Coast Guard; and commercial and recreational fishers, who are up in arms and very concerned about this, as are farmers and tourists alike. WillyWeather is one of Australia's most widely used public weather platforms, and it draws data from this station up to 16,000 times per week. That is 16,000 decisions made each week by Victorians to rely on timely and accurate data, now at risk. The bureau's decision to shut this station is at best poorly conceived, but the bureaucratic buck passing that has followed is unacceptable.

Minister, the community is aware that this AWS is a federal and local government partnership, and our South Gippsland shire is incredibly supportive of its continuance. This station is not optional, and the consequences of its removal are severe and far reaching. The AWS supports fire behaviour modelling and informed planned burn operations – very important. Without it incident controllers would operate with diminished understanding and forecasts. It provides storm warnings, and this is a key factor. If you have ever been to South Gippsland and indeed the beautiful Wilsons Promontory in the area, you know how windy it is. This BOM device certainly understands the storm weather warnings. In search and rescue operations our coastal conditions can change very rapidly, and this is vital for navigation and weather aid for marine emergency services. Also in agriculture it is certainly important. Our communities want it. It is small change to both federal and state governments, but it is vital. What price do you put on safety? Minister, please advocate for the continuance of this automatic weather device.

Lord's Prayer

Georgie PURCELL (Northern Victoria) (19:43): (1654) My adjournment matter is for Minister Symes in her capacity as the Leader of the Government, and it relates to the continued usage of the Lord's Prayer in Parliament. In the last term of Parliament, the then Attorney-General made a clear commitment to this chamber and to the people of Victoria that the government would at the beginning of this term begin a process to replace the Lord's Prayer with a more inclusive model for opening Parliament, one that is reflective of a modern Victoria. When my colleague Mr Ettershank asked the Leader of the Government in the Legislative Council for an update on 7 March 2023, she described it as 'a matter for this chamber and a matter for the other chamber'. Similarly, when asked again by Mr Ettershank, the then Attorney-General responded that:

... this issue has been well canvassed in the Upper House. Any changes to standing or sessional orders relating to the commencement of the day proceedings are a matter for the House.

I appreciate that it is important to have a model that is consistent and canvasses the views of both houses, but almost four years have passed since the government committed to making changes, and the government is running out of excuses.

At the last census, almost 40 per cent of Victorians reported having no religious affiliations, with a further 13 per cent identifying with a religion other than Christianity. In 2021 a range of community and faith groups came together to sign an open letter in support of removing the Lord's Prayer from parliamentary proceedings. These included the Jewish Community Council of Victoria, the Victorian Council of Churches and the Buddhist Council of Victoria. The continued use of the Lord's Prayer is clearly no longer fit for a modern, multicultural Victoria, and that is evidenced by the amount of us standing outside the door at the beginning of the day every single day. The action that I seek is for the Leader of the Government to update us all on the progress being made to work with the Leader of the Government in the other house on developing a replacement for the Lord's Prayer for both chambers of this Parliament before the term is over.

St Kilda & Balaclava Kindergarten

Ryan BATCHELOR (Southern Metropolitan) (19:45): (1655) My adjournment matter tonight is to the Minister for Children. Minister, last year you joined me on a visit to the St Kilda & Balaclava Kindergarten in Balaclava, which for 110 years has been providing fantastic kindergarten services to local families in some beautiful, historic facilities that, whilst wonderful when they were built 100 years ago, are starting to show their age. A \$750,000 grant from the state government out of the Building Blocks program was provided in 2023–24 to redevelop, to modernise and to create some new learning spaces. The action that I seek is an update on the progress of this upgrade and modernisation of the St Kilda & Balaclava Kindergarten and whether the project is on track for completion as intended in 2025.

Drought

Wendy LOVELL (Northern Victoria) (19:46): (1656) My adjournment matter is for the Minister for Agriculture. The government's drought package not only is inadequate but also excludes farmers in Northern Victoria other than those in the Towong shire. The action that I seek is for the minister to increase the funding available for drought relief and also add the remaining municipalities in northern Victoria to the list of eligible areas.

During 2024 parts of Victoria experienced record low rainfall. In September last year the state government announced drought support for 11 municipalities in south-west Victoria, and in May this year a further 13 local government areas were added to the list of eligible recipients. But the updated drought relief map excludes many shires that are suffering extended dry conditions and desperately need assistance. It added Northern Grampians but excluded Loddon shire, it added Hepburn but excluded Macedon Ranges shire and it added Baw Baw but excluded Mansfield and Murrindindi.

Last week I received an email from a cattle farmer in Monegeetta. She is struggling terribly due to the drought and wrote to tell me how shocked and disgusted she was to find out that she and other farmers in the Macedon Ranges shire were not eligible to receive drought support. She also asked how Macedon Ranges can be excluded from the drought map when it has had half as much rain as some of the areas that were included.

I have been contacted by the mayors of the Strathbogie, Mansfield, Murrindindi, Alpine, Indigo and Mitchell shires, the rural cities of Benalla and Wangaratta and the cities of Wodonga and Greater Shepparton, as well as the administrator of Moira shire, all of whom are deeply concerned at the exclusion of their municipality from the list. I have been contacted by farmers from across northern Victoria who are deeply distressed that there is no assistance available to them. The government needs to recognise that many farms that used to be in the irrigation districts are now without water due to this government reducing the irrigation footprint.

Drought relief not only needs to be increased, it also needs to be direct. The current Victorian program, which supplies co-contribution grants for on-farm infrastructure and grain storage, is a support package for future droughts, but Victorian farmers actually need a support package for this drought. Animals are starving. The price of hay and feed is going through the roof, and what farmers need right

now is direct financial assistance to help feed livestock, and transport subsidies. They also need the state government to implement regulatory changes to facilitate the quicker and more abundant delivery of vital feed for starving animals. Drought assistance needs to cover more areas, but it also needs to have an increased in funding. \$29 million just is not enough. Even South Australia has committed \$73 million. The government's tripling of the fire services levy for farmers at this very time is cruel and should be reversed.

Southside Justice

Katherine COPSEY (Southern Metropolitan) (19:49): (1657) My adjournment matter this evening is for the Attorney-General, and it concerns the urgent need to reinstate funding for Southside Justice's sex worker legal program, a vital community-led legal service now at risk of closure. This program has for the past three years provided expert, peer-led legal support to sex workers across the state. It addresses issues such as discrimination, employment, non-payment, sexual assault and police interactions, just some of the legal issues that sex workers face every day. The program was co-designed with sex workers and grounded in harm reduction and human rights. It is exactly the kind of inclusive and specialised legal service that should be expanded, not left to disappear.

In 2022 the Victorian government made landmark reforms to decriminalise sex work, recognising it as legitimate work and committing to improving safety, health and human rights outcomes. As part of this transition, \$12.3 million was allocated over three years. Southside Justice received just \$156,000 – 1.3 per cent of that total. Despite this modest investment, the program's impact has been significant, yet with no further funding allocated in the past two years and the alternative funding ending this December, the program faces imminent closure.

The success of decriminalisation depends not just on legislation and what we do in this place but on its implementation. Without accessible legal support, sex workers are left to navigate complex systems alone, undermining the reform's intent. The pending review of the act is a critical opportunity to assess its impact. As the only statewide legal service for sex workers, Southside Justice is uniquely positioned to contribute to this review, if adequately resourced. The action I seek tonight is for the Attorney-General to urgently reinstate and secure long-term funding for this essential program. Sex workers deserve equal access to justice, and the law must be backed by the support needed to uphold it.

Public transport

Sheena WATT (Northern Metropolitan) (19:51): (1658) This evening my adjournment matter is for the Minister for Public and Active Transport. The action I seek is for the minister to provide an update on how the recent budget announcement of free public transport for anyone under 18 will benefit my constituents in the region. I welcome the announcement that children under 18 will travel free on Victoria's public transport system from 1 January 2026. This will make a real difference to families in my community, easing cost-of-living pressures and making it easier for children to get to school, sport and their social activities. The benefits of this initiative will only grow as we prepare for the opening of the Metro Tunnel later this year, and that is ahead of schedule. With new underground stations at Arden, Parkville, Town Hall and State Library and improved connections to the broader network, including upgrades and extra services on the Upfield line, my constituents in the Northern Metropolitan Region stand to gain easier, faster and more accessible travel options. I look forward to an answer from the minister.

Emergency Services and Volunteers Fund

Joe McCracken (Western Victoria) (19:52): (1659) My adjournment matter is for the attention of the Treasurer and relates to the emergency services tax passed last week. My office has been flooded with inquiries from concerned CFA volunteers, farmers and members of rural communities who are stressed and highly on edge. One of my constituents wrote to me. She is a farmer in the Beaufort district who runs sheep. Her husband passed away a number of years ago, and she runs the farm by herself. She is now in a position where she will be facing thousands in extra costs due to the tax and

has taken the very difficult decision to rent out the bedrooms in her house and live in a caravan just so she can afford to keep food on the table and cover costs. The only other alternative is to sell up.

Treasurer, when you addressed the media on this you said you were setting a progressive, proportionate tax based on the capacity of people to pay. Tell that to the farmers that are suffering through severe drought. Did you consult with the farmers and rural communities who are going to be hit hardest by this cruel tax? Did the government do any modelling on this tax? Furthermore, would they release it if there was any? I doubt it. Did the government talk to local councils, who are the ones tasked with collecting this tax? It appears the answers to those questions are no, no and no. That is why the response from farmers, rural communities, volunteers and local government has also been no, no and no.

I am very proud to be part of the Liberal–National coalition which is committed to scrapping the emergency tax. On this side of the chamber we do not punch down on vulnerable farmers, volunteers and rural Victorians suffering through the worst drought in 100 years. We stand proudly beside them against this tax, and we make absolutely no apology for it. The action I seek from the Treasurer is: will you join me in meeting concerned farmers, volunteers and rural Victorians to listen to the concerns they are raising? In essence, come and face the music, because doing what matters most does not seem to really appear part of this budget.

Emergency Services and Volunteers Fund

Ann-Marie HERMANS (South-Eastern Metropolitan) (19:55): (1660) My adjournment is to the Minister for Emergency Services, and the action I seek is for the minister to outright revoke this cruel and ill-conceived fire services property levy. This is a cash grab from all Victorians, particularly from our farmers, who are already suffering enough with drought and increased costs. Farmers are hit hardest with this levy and are facing up to 150 per cent increases, with some forced to pay thousands more each year. Home owners, renters and business owners will also pay significantly more under the funding grab. It is approximately \$600 million to \$765 million per year in extra taxes on homes, farms and small business people.

The coalition has made a public commitment to repeal this tax and to restore certainty. We will scrap this tax from homes, families, farms and businesses. This levy is just another tax hike disguised as a genuine investment in emergency services. But we know that this funding is not going back into emergency services. It is not being used to update badly needed vehicles and equipment for our firefighters. It is a massive land tax by stealth. CFA and SES volunteers are offered nothing more than a convoluted delayed rebate scheme. These are the very people who deserve proper funding and respect, not empty gestures or words not matched by actions, because they work for our community for free. A coalition government can ensure that SES and CFA and other emergency services are properly funded directly from the state budget, not via a new land tax. The coalition funding model respects the contribution of volunteers and delivers real support.

This is just an Allan Labor government grab for money for its budget black hole. Labor cannot manage money, and all Victorians are paying the price. In a further attack on farmers already facing a levy increase of 189 per cent, the legislation states that exemptions on farmers will be capped at a yet-to-be-determined land value. Under the proposed changes the median fire services levy for primary producers will jump more than a staggering 100 per cent. This change will result in some landholders receiving hikes in the tens of thousands of dollars, and under the pretext of supporting volunteers what Labor is actually doing is taxing Victorians more for services that have always been funded from the consolidated revenue and in the process asking our volunteers in the country to pay more for services that they provide voluntarily. So if the government has any conscience at all, it must revoke this heartless legislation.

The Liberal coalition will repeal this legislation, restore the fire services property levy as the sustainable and equitable funding model and ensure that SES funding is provided directly from the state budget, not through a tax that burdens families, business owners and regional communities.

Kangaroo control

Gaelle BROAD (Northern Victoria) (19:58): (1661) I raise a matter tonight for the Minister for Environment regarding the urgent need for a more effective kangaroo management strategy in northern Victoria. Aerial and ground surveys were undertaken last year to estimate the kangaroo population across Victoria. The data, which excludes some areas, shows that there are over 2.4 million kangaroos, and nearly 500,000 in the Loddon–Mallee area. Many residents are concerned about the prevalence of kangaroos and the risk to public safety. Kangaroo-related vehicle collisions are the most common wildlife hazards on our roads. These incidents are particularly dangerous for motorcyclists, who are over-represented in fatal crashes, and for anyone who drives on regional roads, especially in the early morning or after 5 pm, it is like driving through a minefield. You do not know when a kangaroo will jump into your headlights, and the consequences can be devastating.

The most reliable statistics on accidents involving kangaroos are from insurance companies and wildlife organisations, who respond to phone call-outs about injured animals. The RACV and Wildlife Victoria reported last year that there were nearly 10,000 collisions, but the real number is most likely much higher as many incidents go unreported. On 3AW recently V/Line acting CEO Warwick Horsley confirmed that kangaroo strikes are now a major cause of train disruptions. He said:

... we're seeing three times as many kangaroo strikes in the regions ... so what we've chosen to do, is rather than cancel trains, is try to run every single train where we can ...

This has led to reduced carriage numbers and delays, frustrating commuters and straining our regional transport system. There is also a significant impact on our farmers, who are already battling drought. Kangaroos compete directly with livestock for feed and water, and the pressure on agricultural land is growing. The current management tools are slow, bureaucratic and often ineffective. The action I seek from the minister is a commitment to enhance Victoria's kangaroo harvesting program. I have spoken with constituents who are concerned that the authority to control wildlife program is flawed and the kangaroo harvesting program should be expanded. While Victoria grapples with over 2 million kangaroos, only \$200,000 has been allocated in the budget papers for the kangaroo harvesting program next year. What is the government doing to expand the market for this important leather and meat resource?

Sustainable harvesting provides a way to manage kangaroo numbers while also unlocking a valuable source of leather and meat. Kangaroo leather is renowned for its strength, lightness and durability. It is widely used in footwear, gloves and sporting goods, where strong, lightweight leather is important. It lasts longer than cow leather and synthetic alternatives, reducing the need for replacements, which lowers the overall environmental impact. Synthetic leather is created through petroleum-based products that are not biodegradable, while kangaroo leather is a natural renewable resource.

Our communities are doing their best to coexist with native wildlife, but it is time for a more balanced and proactive approach that prioritises community safety.

Renewable energy infrastructure

Bev McARTHUR (Western Victoria) (20:01): (1662) My question for the Minister for Energy and Resources concerns VicGrid's recent request for feedback on the 2025 Victorian transmission plan. I have previously raised the deep frustration felt by many in my electorate who watched the launch of this new statewide consultation on Victoria's transmission future, even as major transmission projects affecting them had already been decided without such consultation. Tonight, however, I would like to draw your attention to one specific element of the newest transmission plan document – its claims about land use.

The physical footprint of renewable energy infrastructure seriously concerns regional Victorians. The draft transmission plan outlines the state's strategy for expanding renewable energy infrastructure over the next 15 years and includes the establishment of seven proposed renewable energy zones. A key figure presented in the plan is that only 0.06 per cent of Victoria's land area will be required for

physical infrastructure such as wind turbines, solar panels and access tracks in these seven proposed renewable energy zones and associated transmission projects. This equates to approximately 136 square kilometres. Is this correct, is it a rounding error or is it a transparent attempt to mislead?

Given the scale and implications of this estimate, I strongly request from VicGrid a detailed explanation of the methodology and calculations underpinning this figure. It cannot be that complex. I am not asking for commercially sensitive information, just factual clarity. We need a breakdown of this 0.06 per cent figure. How can this number include all the physical infrastructure plus access tracks and high voltage transmission lines? If it does not, what is the estimated additional land area required for access and transmission to serve these renewable energy zones? And how does this figure reconcile with the department's 2022 *Offshore Wind: Policy Directions Paper*, which stated that meeting net zero using onshore renewables would require up to 70 per cent of Victoria's agricultural land?

Transparency in these calculations is essential to maintain public trust and ensure proper community engagement. Given VicGrid's role in coordinating the state's energy transition, clear communication of critical figures like this is paramount. The action I seek, Minister, is that you intervene to direct VicGrid to respond comprehensively to these questions. For the public to retain confidence, I ask you to ensure VicGrid's future communications remain clear, accurate and credible.

Responses

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (20:04): Ms Terpstra has raised a matter for the Minister for Equality. Ms Crozier and Mr Puglielli have raised matters for the Premier. Mr McIntosh has raised a matter for the Minister for Creative Industries. Mr Davis has raised a matter for the Minister for Police. Ms Payne has raised a matter for the Minister for Corrections. Ms Ermacora, Ms Lovell and Ms Copsey all raised matters for the Attorney-General. Mr Welch and Mr McCracken raised matters for the Treasurer. Dr Mansfield raised a matter for the Minister for Water. Mr Galea raised a matter for the Minister for Education. Ms Bath and Mrs Hermans raised matters for the Minister for Emergency Services. Ms Purcell raised a matter for the Leader of the Government.

Mr Batchelor raised a matter for me as Minister for Children. I do recall the visit in August last year to the St Kilda and Balaclava kinder. In particular I remember it because there was a wonderful trapeze in the kinder that the kids were all playing on, and on that particular day we announced that the latest round of Building Blocks improvement grants were open. Indeed Balaclava and St Kilda had been the recipient of \$750,000 in the previous round, which will expand and modernise this kinder, adding five learning spaces, which will obviously allow there to be significantly more places offered to local children. These changes will indeed, as Mr Batchelor spoke to, modernise the 100-year-old building while of course keeping its beautiful heritage aspects alive, and the new spaces will be more flexible, to suit the way in which learning has evolved over the past 100 years. They will be more inclusive and they will certainly be more accessible for children of all abilities, but those improvements have been done in a way that is sympathetic to the heritage nature of the beautiful kindergarten. I am pleased to advise Mr Batchelor that it is still scheduled to be finished in quarter 2 of 2025, and I very much look forward to visiting it for an opening with Mr Batchelor some time later in 2025, as I am advised.

Ms Watt also raised a matter for the Minister for Public and Active Transport, Mrs Broad raised a matter for the Minister for the Environment and Mrs McArthur raised a matter for the Minister for Energy and Resources, and I will refer all of those other matters accordingly.

The PRESIDENT: The house stands adjourned.

House adjourned 8:06 pm.