



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Friday 14 August 2026

Members of the Legislative Council

60th Parliament

President

Shaun Leane

Deputy President

Wendy Lovell

Leader of the Government in the Legislative Council

Jaclyn Symes

Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

Leader of the Opposition in the Legislative Council

Bev McArthur (from 18 November 2025)

David Davis (from 27 December 2024)

Georgie Crozier (to 27 December 2024)

Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

Member	Region	Party	Member	Region	Party
Bach, Matthew ¹	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira ²	Western Metropolitan	FFV	Ratnam, Samantha ⁵	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem ⁶	Northern Metropolitan	Ind
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Gray-Barberio, Anasina ³	Northern Metropolitan	Greens	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Heath, Renee	Eastern Victoria	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Tierney, Gayle	Western Victoria	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tyrrell, Rikkie-Lee ⁸	Northern Victoria	ON
Limbrick, David ⁴	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard ⁷	North-Eastern Metropolitan	Lib

¹ Resigned 7 Dec 2023

² Lib from 26 Nov 2022 until 28 Mar 2023;

IndLib from 28 Mar 2023 until 27 Dec 2024;

Lib from 27 Dec 2024 until 28 Jul 2026;

Ind from 28 Jul 2026 until 6 Sep 2026

³ Appointed 14 Nov 2024

⁴ LDP until 26 Jul 2023

⁵ Resigned 8 Nov 2024

⁶ DLP until 25 Mar 2024

⁷ Appointed 7 Feb 2024

⁸ PHON until 3 Aug 2026

Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;
 FFV – Family First Victoria; Greens – Australian Greens; Ind – independent; IndLib – Independent Liberal;
 LCV – Legalise Cannabis Victoria; LDP – Liberal Democratic Party; Lib – Liberal Party of Australia;
 LP – Libertarian Party; Nat – National Party of Australia; ON – One Nation Victoria;
 PHON – Pauline Hanson’s One Nation; SFFP – Shooters, Fishers and Farmers Party

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Friday 14 August 2026

The PRESIDENT (Shaun Leane) took the chair at 9:32 am, read the prayer and made an Acknowledgement of Country.

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

Planning and Environment Act 1987 – Notices of approval of the –
Brimbank Planning Scheme – Amendment C219.
East Gippsland Planning Scheme – Amendment C165.
Hume Planning Scheme – Amendment C283.
Melbourne Planning Scheme – Amendments C496 and C497.
Mount Alexander Planning Scheme – Amendment C106.
Moyne Planning Scheme – Amendment C82.
Port Phillip Planning Scheme – Amendment C218.
Surf Coast Planning Scheme – Amendment C147.

*Business of the house***Notices**

Notices of motion given.

Renee Heath having given notice:

The PRESIDENT: I am going to review that motion and see how we go.

Further notices given.

Notices of motion

Lee TARLAMIS (South-Eastern Metropolitan) (09:44): I move:

That the consideration of notices of motion, government business, 278 to 1559, be postponed until later this day.

Motion agreed to.

*Bills***Consumer Legislation Amendment Bill 2026***Second reading*

Debate resumed on motion of Lizzie Blandthorn:

That the bill be now read a second time.

David LIMBRICK (South-Eastern Metropolitan) (09:45): I am pleased to speak on the Consumer Legislation Amendment Bill 2026. This is an omnibus bill that amends an entire range of acts: the Australian Consumer Law and Fair Trading Act 2012, the Conveyancers Act 2006 et cetera et cetera. Suffice to say it does a lot of things. Some of those things are okay and technical. Some of those things are really horrible, and for some of those things we may end up with something very different, because I have received an enormous number of amendments for this bill and I think we only received them yesterday. My team has been working very hard to make sense of these amendments. So with that in mind, I will not be opposing this bill on the second reading. I will be paying close attention to the

committee stage, and I will see how the bill looks after we have gone through all these amendments that we can see on the table here.

Suffice to say there are lots of things in here that I do not like. The one that I am going to focus on, though, is the one that I have spoken the most about, and that is the amendments to the Tobacco Act 1987. This bill will add new powers, such as short-term closure notices by the regulator or police, long-term closures by the court, offences for landlords if their tenants are knowingly selling tobacco illegally, landlord power to terminate leases on long-term leases et cetera and enabling pre-trial destruction of products. There are some very, very concerning developments in the tobacco wars in Melbourne that I am not sure the government is even aware of. Maybe they are getting a hint of it by the fact that we are seeing more firebombings and indeed we have seen kidnappings now. The government did not seem to understand the incentives that drove the tobacco wars in the first place, which was the excise tax, a failure of federal government policy and also a failure of state government policy because we washed our hands of vapes. Apparently the Victorian government has no responsibility whatsoever for vapes. They used to try and regulate them somewhat, and now they just say it is a federal government problem and it is not policed and you can buy vapes anywhere imported directly from Shenzhen, China.

The government think that they are going to enforce their way out of this. I have got news for them: they are not. It is not going to work, bringing in a whole bunch of new and very severe criminal penalties, a licensing regime and all these sorts of things. They really need to look at the history of alcohol prohibition in the United States. What happened there when they ramped up enforcement and fines and things like this? What happened was that it incentivised further violence and increased violence, and that is exactly what we are seeing now. You do not need to be a genius to figure out the incentives here. We all know that these criminals that run these tobacco networks are violent people. They think nothing of firebombing attacks; every morning we wake up and there is a new firebombing attack. They think nothing of standovers. They think nothing of these sorts of things – and these are only the crimes that we see. Actually most of the crimes that are happening right now are not getting reported. People are too scared to go to the cops. They are not visible – things like people getting threatened and people getting stood over – and it is all very, very quiet.

The tobacco licensing scheme has incentivised a new distribution model. Anyone that has got an Instagram account can see that what I am saying is true: illegal tobacco is being sold direct to consumers for home delivery and advertised via social media. I have no idea why Meta allow tobacco advertising for black markets and for organised crime, but they do. You do not have to be a genius either to realise that organised crime groups having a list of consumers' addresses and delivering to their homes might pose a few problems. The fine for someone selling tobacco illegally is about \$300,000. I do not know what the current price to carry out a firebombing attack, or indeed a murder, is in Victoria, but I imagine neither of those things cost \$300,000. The government has set up incentives for violence here, and they have incentivised a distribution model that hands the home addresses of consumers to organised crime groups. It is happening right now. What is being done about it? They are operating with impunity. The government claims that they can enforce their way out of it. Organised crime is moving so fast that the government's licensing scheme is already obsolete before it has even started.

The federal government was bragging about how they shut down a service station group because they were distributing illegally. They could only do that because it was a really large organisation. But I can tell you there is a service station of a different company right near my house that just openly sells illegal products. In fact they have weekly specials; you can get two for one if you buy on a Thursday. The consumers do not even know they are illegal products. They are openly displayed. The government's laws are doing nothing, but okay, let us shut down all the service stations. Maybe they should have done something other than their fuel saver when they were getting data from the petrol stations. There are illegal tobacconists everywhere. They are still all in the city, but they are also moving online. This is really dangerous. For goodness sake, this is going to end in disaster. Organised

crime having a list of consumers and their home addresses, what could go wrong? This is madness, what they are doing. The violence is going to increase because of the incentives set up by the government.

The government needs to abandon this scheme, and what they need to do is actually what the New South Wales Premier, a Labor premier, has been doing. He has been doing something good. He has been screaming at the federal government about the excise tax. He wants a review. We have got a new Premier now in Victoria. Why isn't he doing that? At least show that you understand what is causing this problem. At least show that you understand the root cause of this issue, and you are taking action to pressure the federal government to do something about it, because ultimately, it is the feds that have got to do something about tobacco excise.

The public health bureaucrats that have pushed this policy need to be sacked. They have pushed this; they have caused this. They are continuing to say, and apparently influence members of Parliament into saying, 'We can't cut the excise tax. That would be giving in to big tobacco.' Big tobacco is about to pull up stumps and stop business in the country because their markets are going to be totally eaten up by organised crime within two years. Organised crime already controls 80 per cent of the tobacco market. It is not big tobacco, it is big organised crime. They control this state at the moment, and we have got to do something about it. The licensing scheme is actually not going to help. It is actually going to make things worse. It is going to increase the violence. Please do not do this. It is crazy.

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (09:53): I would like to thank all members who have made a contribution to the Consumer Legislation Amendment Bill 2026. I will be moving some house amendments which incorporate feedback from stakeholders to make these important reforms fairer and clearer for Victorians purchasing houses and living in residential parks. The house amendments also seek to modernise the Building Act 1993 by introducing amendments to reflect current industry practices and support improved regulations that give Victorian workers, businesses and consumers clarity and confidence in relation to modern methods of construction and complex plumbing works. Those house amendments in my name were circulated by Mr Tarlamis last night.

Victorians should not have to wait another year for practical reforms that make everyday transactions fairer, clearer and safer. These reforms bring together major consumer protection changes across residential parks, owners corporations, motor car trading, the property market, renting and illicit tobacco enforcement. Together, they are designed to make the system fairer, safer and easier for Victorians. There has been considerable discussion through this debate about the scope of the bill, but the breadth of the bill reflects the breadth of the issues that Victorian consumers, renters, homebuyers and residents are dealing with right now. These are not abstract reforms. They affect whether someone can understand the true cost of buying a home, whether a renter can leave a lease without facing unmanageable costs and whether an older Victorian in a residential park can plan for their future. They also affect whether a used car buyer can trust what they are being sold and whether enforcement agencies have the powers they need to crack down on illicit tobacco.

On renting, this government has already delivered more than 150 rental reforms, including the ban on rental bidding, the end of no-fault evictions, minimum standards before a property is advertised and longer notice periods. The portable rental bond scheme is now live, allowing renters to transfer their bond when they move rather than needing to find money for a second bond up-front. Rental Dispute Resolution Victoria is also operating, giving renters a free pathway to resolve bond repairs and rent disputes without needing a VCAT hearing.

This bill builds on the record in a practical way. It caps break-lease compensation for lost rent in agreements under five years so renters know where they stand and are not exposed to claims they cannot predict or afford. It allows renters to pay their bond directly to the Residential Tenancies Bond Authority if they wish, rather than relying on an intermediary. It creates an offence where a rental provider switches off a renter's key or fob, because locking someone out of their own home as leverage

in a dispute is unacceptable. It gives renters the right to an additional key or security device without unfair charging. And it strengthens protections for victim-survivors of family violence, including by clarifying bond provisions, enabling VCAT to make perpetrators solely liable for damage in appropriate cases and prohibiting discrimination against victim-survivors applying for rental properties.

On the property market, the bill makes information available earlier and more transparently. In most circumstances section 32 statements will need to be provided well before a buyer is asked to make a decision. Reserve or asking prices will have to be published before the auction or fixed-date sale. Sold prices will have to be published once the sale becomes unconditional. Statements of information will be more prominent, more useful and available for longer. The coalition has proposed that this bill alter the process for setting the reserve price and allow for the seller to revise the reserve price within seven days of auction. The government does not support this. The purpose of these reforms is to end the frustration that prospective buyers feel when they go to an auction and learn that the house was never in their price range. Even if reserve prices can be lowered within the seven-day limit, this causes its own unintended consequences by encouraging more buyers to participate without the same amount of time as other buyers who were able to afford the higher price range and do their due diligence. We want to make these decisions carefully, and we will continue with our 14-day reserve price range policy as set out in our amendment.

Through this bill the director of Consumer Affairs Victoria will also be able to collect and publish sale information, giving Victorians a free government-run source of this information. These are commonsense reforms and help level the playing field for buyers. The bill also repeals section 27 of the Sale of Land Act 1962 so commissions can only be taken from deposits at settlement or earlier with the seller's express agreement. That matters because the deposit is the buyer's money until settlement, and early release shifts risk in ways that can unfairly affect buyers. The opposition has proposed that we keep section 27, and we oppose this measure. Vendors and purchasers will still be able to negotiate the early release of their deposit in the contract of sale, but it is not taken as standard. Our amendment removes the incentive for estate agents to apply undue pressure on vendors and purchasers to agree to release the deposit early and gives purchasers and sellers more choice.

For owners corporations, this bill fast-tracks the financial hardship recommendations of the expert review. Owner-occupiers experiencing hardship will be able to access payment plans and receive statutory protection from penalty interest and debt recovery while a plan is in place. This is an important reform that recognises the realities faced by first home buyers, downsizers and pensioners. The opposition has moved an amendment on this to look at what considerations should be taken into account when creating a payment plan, which we will not be supporting. Our bill already ensures that the terms of a payment plan are set out in the request from the lot owner, who is in the best position to understand their capacity to pay. The approved form for requesting a payment plan will clearly set out the parameters of the payment plan, along with information about how the request will be considered and what happens in the event of noncompliance.

For residential parks, the bill addresses longstanding concerns, particularly for older Victorians. It defines and limits deferred management charges, ensuring they do not exceed 20 per cent of the purchase price paid by the resident. It creates a pathway for special rent increases through VCAT, establishes a public register of park operators, allows for a code of practice and removes forcing a resident to leave at the end of a fixed term without cause. These are significant and necessary reforms. The opposition has brought some amendments to this bill on residential part 4A parks which, for the record, we will not be supporting. Our bill is already working to deliver stronger protections for residents of those parks.

For used car buyers, the bill strengthens odometer tampering offences and requires traders to verify odometer readings before sale. We have seen the amendments circulated by the opposition to change these reforms, which we will not be supporting. Our bill will deliver the strong consumer protections Victorians deserve and will stop the dangerous tactic of winding back odometers. It simplifies

consumer redress by transferring functions from the Motor Car Traders Claims Committee to the director of Consumer Affairs Victoria. It strengthens regulatory powers, including licence suspension powers and record-keeping obligations, and updates the law for online and auction-based trading environments. It has also been put to the government by the opposition that this committee should be retained, but we will not be supporting that approach. The director of Consumer Affairs Victoria already has access to the expertise they need to support those consumers going through the claims process and will be best placed to deliver fairer outcomes for Victorians. These reforms recognise how the market now operates and ensure that consumers are better protected.

The bill also contains important reforms in relation to illicit tobacco. These measures further strengthen Tobacco Licensing Victoria and Victoria Police's powers to disrupt the illicit trade by allowing short-term closures, court-ordered long-term closures, stronger penalties for landlords who knowingly enable the trade, and earlier destruction of seized tobacco, while preserving fair trial safeguards and evidence. The opposition has put forward amendments to ensure a reasonable excuse defence for landlords who have done all the right things to prevent the illegal trade of tobacco. We will not be supporting this amendment, but we understand the intent of the amendment. I just point out that the offences in clause 116 already include a reasonable excuse defence that already addresses that issue. These are serious reforms aimed at serious criminal activity.

I will also be moving house amendments which will make changes to the Building Act to strengthen consumer confidence and promote innovation in modern methods of construction. To boost consumer investment in modern methods of construction, we are giving Victorians confidence that when they are buying a home with prefabricated parts, they will be held to the same standards of tradecraft as the traditional site. These amendments will give consumers a legal guarantee that they are always getting a high-quality build whenever they buy Victorian modern methods of construction.

These amendments also improve the regulation of plumbing in apartments and other complex builds. Current regulations do not differentiate between plumbing work undertaken on single-storey homes or high-rise towers. It will create a new head of power which will allow for changes to the regulations. The plumbing industry has long called for these reforms and I am pleased that the Carroll Labor government is delivering them. Further amendments make small administrative changes to allow for the smooth operation of subordinate regulations by delaying the commencement of changes to the Domestic Building Contracts Amendment Act 2025 as well as delaying the introduction of the developer bond scheme. This is as a result of industry feedback, allowing Victoria's building sector enough time to implement the changes effectively. Some members have sought to frame those reforms as too broad, too ambitious or too interventionist, but the government does not accept this. This is a practical cost-of-living piece of work. It is all about giving consumers confidence across all areas of the economy while strengthening the position of industry.

It is the work of government to make markets fairer and to back consumers with clear rules. At its core this bill is about fairness. It is about giving buyers the information they need, renters more certainty and protection and owner-occupiers in hardship a fair process and providing stronger safeguards for older residential park residents and used car buyers while also cracking down harder on illicit tobacco operators. Our government has a clear record of reform in these areas, and this bill continues to build on that work.

Finally, I acknowledge and thank Mr Puglielli from the Greens party for working constructively with us on the bill and for putting forward the proposed amendment regarding proxy votes for owners corps. We are prepared to accept this amendment and look forward to discussing this further in the committee stage and working further on this.

Just before I finish up, there are a couple of points to make on the committee stage. Those that have been looking at this bill know that it is incredibly complex. It is probably about five bills rolled into one. I am sure we will all be patient and kind with each other as we work through what I think is a

record number of amendments that we are going to be dealing with in committee, and we will all do our very best to acquit our responsibilities. That being said, I commend the bill to the house.

Motion agreed to.

Read second time.

Instruction to committee

The PRESIDENT (10:06): Before we start the committee stage we need to deal with an instruction to committee motion. Considering the amendments on sheet IS40C circulated by Ms Stitt, in my view amendments 2 to 7, 10 to 20, 25 to 31 and 33 to 37 are not within the scope of the bill. Therefore an instruction motion pursuant to standing order 14.11 is required. As the house knows, an instruction motion is a procedural motion.

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (10:07): I move:

That it be an instruction to the committee that they have the power to consider amendments and new clauses to amend the Building Act 1993 in relation to prefabrication work and prefabrication builders, complex plumbing work, developer bonds and minor matters, the Building and Plumbing Administration and Enforcement Act 2026 to make consequential amendments to that act and the Domestic Building Contracts Amendment Act 2025 to delay its forced commencement date.

Motion agreed to.

Committed.

Committee

Clause 1 (10:10)

The DEPUTY PRESIDENT: The minister has advised me that the government would like to take all questions on the Tobacco Act 1987 first.

David LIMBRICK: I have a few questions about the changes to the Tobacco Act. In the second-reading debate I spoke about the new distribution model being adopted by organised crime – home delivery. In fact I was just talking with my colleague next to me and showing him some of these advertisements that are happening, and you can buy anything in Victoria, it seems. How will these changes affect this new distribution model?

Enver ERDOGAN: I thank Mr Limbrick for his question and his longstanding interest in these matters. This bill is much more targeted to fixed and mobile premises. The issue you raised during your contribution to the second reading was more focused on using other modes of communication to distribute, and I think you gave the example of the internet and social media, understanding that the state's ability to regulate the internet is limited because of our constitution. It goes back to an earlier point. We are probably getting a bit out of scope, but I think it is important to state that this is a national problem. We know that. We know that what created this sector was obviously some of the tax settings. We know it is entering into our borders at a state level. This plays out with crime, where police are usually on the front foot. This will stop the physical presence of stores, which is also having a detrimental effect, we know, on legal retailers. This is more targeted to physical stores. I think in the online realm it is probably better addressed to the Commonwealth, and it is an issue that we will take up. There is a national disruption group where state and federal agencies are working together. The example you gave was the big operation towards the service station. That was actually state and federal together; it was Victoria Police, federal agencies and Tobacco Licensing Victoria's federal equivalents. But this bill is not focused at that end. This is really the physical stores we are seeing, and you gave a good example of a local petrol station. They are the ones that we want to target. We want to put up closure powers, because right now there are powers to go and take these products, but then

people are saying, 'But the store still is reopened the next day or the day after.' This is to address that issue. It is a longstanding issue, and it brings us into line with best practice interstate.

David LIMBRICK: Although this new distribution model at a retail level is all done online through home deliveries, it does require distribution hubs, so warehouses. Assuming that these warehouses have tenants, would they be subject to these closure powers? They are not actually conducting transactions onsite; they are storage facilities, presumably, that deliveries are coming from.

Enver ERDOGAN: I think any premises which is selling or believed to be selling illicit tobacco will be able to be closed down, so to speak, for business. But more importantly, it will empower the landlords to terminate the lease. A warehouse is a good example. The problem is currently it is not so straightforward to terminate a lease on any rental agreement, for good reason – there are checks and balances – but I think in these instances this will empower the landlord to be able to terminate the lease for the premises.

David LIMBRICK: I watch these markets as closely as I can. One thing that I have noticed many of them advertising now is that their products are shipped directly from Brisbane, from Queensland. Would anything here actually affect that business model where presumably some warehouse is in Brisbane and it is being sold locally in Victoria? As far as I can tell, the Victorian government cannot do anything at all about that, can they?

Enver ERDOGAN: These reforms are about a real target, about the closure of physical stores. I think your example is a fantastic example of why I say it is beyond just a Victorian issue. It is a national issue that requires a national approach, because we are seeing products shipped from interstate and products shipped from overseas, and not all of that can be combated at a Victorian level. This is one more step. I am not going to pretend and say this is a silver bullet. It is not. But it will assist in getting rid of these stores in situations where they are really harming other neighbouring businesses. That is what will allow the physical closure powers.

David LIMBRICK: I thank the minister for that answer. Is it not the case that organised crime has already outsmarted the government with a new distribution model? It seems that the Victorian government cannot touch this distribution model, as far as I can tell. I imagine if I lived in Queensland, I would see ads saying, 'Shipped directly from Melbourne, Victoria'. Similarly, these crime groups seem to have figured out that if you distribute from one state and sell into another, the local state authorities cannot really do much at all.

Enver ERDOGAN: I would not accept that they cannot do much at all. I think there is a lot that we can do and are doing. Nonetheless, I do take your point that it is clear that the criminal enterprises that are behind this, and some of them are transnational, have been quickly shifting their models of operation. Obviously enforcement takes time to adapt to new practices. We have seen that evolving over a good five years, probably even longer in Australia in every jurisdiction. These closure powers have been implemented with some success in Queensland, though. I have heard this anecdotally. As a minister I meet with stakeholders. One of the stakeholders I met was – I will not reveal who – one of the tobacco companies, who said that there is a direct correlation with the closure powers and strict enforcement. It is not just having the rules but actually joint operations with police and an uptick in sales of legal tobacco. Clearly there is some impact. Obviously with the long-term trend there will be other challenges, because it is clear that these criminal enterprises are not going to stop just because of closure powers. It will make life harder for them. This will allow us to collect more intelligence. I think that is what the biggest benefit has been of having a regulator in the first place. You have a better picture of who is selling these products out in the open, effectively, but that does not mean that they will not go back underground.

David LIMBRICK: I would dispute the idea that somehow Queensland is doing things better. I went up to Queensland last year and you could buy vapes and tobacco anywhere. The idea that it is somehow being shut down by the Queensland government through their licensing scheme is just

wrong. Anyone can see it for themselves. You just have to walk into a shop and ask for a packet of whatever. I am not going to name the brands, but everyone knows what they are. Is it not the case that with every step the government has taken, both the state and federal governments, including the steps that we are taking right now, organised crime has been one step ahead, and they just keep adapting? Is it not the case that unless we attack the underlying root cause of this, which is the federal excise tax, you are never going to get ahead of it? The government cannot keep up with these distribution models. These guys are good at this. I was actually quite impressed when I saw this new distribution model. They are saying, 'Oh yeah, ship from Brisbane.' The Victorian government cannot shut down something in Brisbane. They sell it over the internet. You do not even know where it comes from. They are probably doing the exact opposite in Brisbane. I do not see how you are ever going to stop this. My question is: how are we going to measure success here? Estimates are that currently about 80 per cent of tobacco sold is black market. That is increasing. What is going to be a measure of success here for the state government?

Enver ERDOGAN: Mr Limbrick, there is an issue and I think I was one of the first ministers in the nation to talk about that. There are multiple factors for the growth of illicit tobacco in this country. One of the biggest factors is the price differential between the legal and illegal products. That is the biggest factor. Then the second biggest factor is the fact that it enters into our country in the first place. A lot of these products are not cultivated here. They are not produced here. I understand there has always been a small amount of illicit tobacco cultivation within Australia, but never at this volume. Without those levers, which state jurisdictions do not have, we obviously will continue to advocate and speak to our Commonwealth counterparts and pass on that message. It is not just me – Premier Chris Minns was very forceful in his view of the price differential, as you have said, Mr Limbrick, too. Some of these issues fall on the state jurisdictions to pick up the enforcement side, which is a very difficult challenge because of the demand side – the price differential is so strong. All we can do is try to target the organised crime elements, and I note Victoria Police has made a lot of arrests in relation to this. We have tried to increase the deterrence, so tougher penalties – before, people were getting lighter sentences than what they are getting in relation to these offences now. This is, again, about disrupting their business model, making life harder for them. But without taking a holistic approach – and there is a national approach; it needs to have a national approach – I do not believe it will make as big a difference as we would like to see.

David LIMBRICK: I do accept that the federal government have caused this problem, and they have left state governments to pick up the pieces on this. That is why when I saw how angry Premier Minns was about it, I was like, 'Well, he should be angry,' and I think the Victorian government should be angry as well at the position that we have been left in. We have been left in a hopeless situation, as far as I can tell. It is totally unenforceable. The government are trying everything that they can, but as I have said, I do not think any of this is going to work. In fact I think it is going to make things worse. The tougher penalties that the minister referred to I think are actually dangerous.

I have one question specifically around landlord offences. The idea is that there is going to be an offence if a landlord rents out a place knowing that the tenant is conducting illegal business. How would you know that the landlord knows this? What sort of evidence is going to be required here? Because I think that it seems that landlords – I do not know how they are going to do it – are going to make sure that they are ignorant of whatever is going on in their property. How are they going to know?

Enver ERDOGAN: Obviously everyone is innocent until proven guilty, so the same criminal standard will apply. We understand there is a lot of intelligence at the moment in this space because organised crime is involved. If there are intelligence reports – and we are talking federal police, VicPol, potentially the licensing agency – and they have proof or evidence that a landlord is complicit, then of course they will have to prove in a court of law to the criminal standard, beyond reasonable doubt, that they were involved. That would depend on whatever intelligence they have and they can prove in a

court, because everyone deserves to be treated as innocent till proven guilty. So it is just a criminal standard, I will say.

David LIMBRICK: There are lots of law-abiding landlords out there who buy commercial property as an investment. How can a landlord protect themselves against this offence? If I am a landlord and I want to make sure that I am following the law and I do not trigger this offence, how am I going to protect myself against this? Do I request an affidavit from the tenant or some sort of legal document stating that they are not selling illegal products? How is the landlord going to avoid this offence? Are they going to have to do their own inspections to find out whether their tenant is doing something dodgy? It just sounds really dangerous. If one of their tenants is doing something like this, putting the landlord in a position where they are effectively going to have to out dangerous criminals it seems might be a dangerous thing for the landlord.

Enver ERDOGAN: I get the point you are making, Mr Limbrick. I think we know with a lot of tenancy agreements that as part of the tenancy agreement, whether it be residential or commercial, there is an inspection, usually by the relevant agent acting on behalf of the landlord to go and inspect the premises. There are a whole bunch of conditions when you sign a lease or if you have ever been a tenant. I was a tenant not too long ago, and I remember the landlord would see the condition of the premises, and there are reports like that. I guess in some of those reports, if they were to discover something, like everyone, they would have almost an obligation to report it to the appropriate agencies. I guess that would be the proof point. But at the same time we know that some of the criminal syndicates behind this industry are very scary, and we have seen a lot of people being hurt, so there is that aspect as well. Like I said, there is a criminal standard that would need to be applied to be able to convict anyone of these charges. But I think landlords, in their normal course of business, do regular inspections, whether that be in a residential or a commercial setting, and if they become aware of something, then I guess the onus is on them to act.

David LIMBRICK: I do find the assumptions by the minister here to be very dangerous. If I am a landlord trying to comply with the law and I inspect a tenant's premises and I find that they are conducting an illegal tobacco business and I am somehow obligated to report that because I will come under this offence now, aren't I instantly a target for these criminals? They are going to face, what is it, at least a \$300,000 fine. I know they are going to assume that the inspection is what caused it, so they have got a \$300,000 incentive to silence me as the landlord. Isn't this a dangerous situation that you are creating here?

Enver ERDOGAN: There are obligations that exist across society. If you see something illegal or wrong, I think there is an obligation to report it. That would be no different in this case. You are giving an instance where someone is too fearful to report it, effectively. That is a defence in any criminal setting. That is why I said it is a criminal standard, and I think they are factors that would be considered in any prosecution. That already happens across a number of sectors where we do see bad actors and people not willing to come forward because they are fearful. I think that is why you have a criminal standard, and it needs to be beyond reasonable doubt and all those other considerations. But they are really questions for prosecution. I think these powers are to try and make it easier, and I think it is making it easier when there has clearly been a conviction already or if someone has been found to be breaching already, with or without the landlord, and they are able to move them on, because right now it is very complex to terminate a lease agreement.

David LIMBRICK: I actually like the part about being able to terminate lease agreements more easily; I think that is good. It is still dangerous, though. Can I just clarify then that if a landlord feels they are under either explicit or implicit duress because of bad people that are renting their property, that would be potentially a defence against this offence?

Enver ERDOGAN: Mr Limbrick, I am not going to talk case by case, because obviously we are talking hypotheticals here. But I think that exists in common law when someone is forced to do

something because they are under threat or fear threat. That would be a criminal standard that the prosecution would need to consider the evidence of in each case.

Melina BATH: I thank Mr Limbrick, because he has asked some questions in that space that I was thinking of as well. Just let me recap – I know we have been discussing this. There is protection in this bill around a landlord who does discover that there is illicit activity happening and he or she reports it to police or the regulator and takes every step available to stop it. What I have heard from your discussion is that there is a defence if it continues on and he or she has done everything within his or her powers, correct? And then the other one would be in terms of liability for conduct that they do not authorise. If they are not authorising an illegal activity in their premises or not knowingly permitting it, again there should be some level of defence. Can you just assure the house that that occurs in those two separate situations?

Enver ERDOGAN: Do you want to just repeat that last bit, sorry?

Melina BATH: They have a defence if they neither authorised the activity nor knowingly permitted it, yet it happened. There needs to be a line of defence for the landlords.

Enver ERDOGAN: I think that is why I talked about it being proven to a criminal standard, because there would need to be, first of all, evidence that they actively were participating and knowingly allowed their premises to be used for those improper purposes. The onus would be on the prosecution to prove that. If they could not prove that, then they would not get a conviction or would not pursue the person in the first place. Obviously, as a defence, I am sure they would get legal advice in these circumstances, and everyone's circumstances would be different. Unfortunately, we have heard stories. One of the most harrowing stories is of small businesses that have been targeted and coerced. That, in a criminal common-law principle, is a defence, that fear aspect that Mr Limbrick talked about. That is why I say 'criminal standard'.

Melina BATH: Moving on, in relation to needing to take a tougher stand on landlords, we will say, in the jurisdictions of Queensland and New South Wales there seems to be a tougher stand than Victoria regarding landlords who knowingly allow those tenants then to sell illicit tobacco. This bill allows the termination of a lease by a landlord where a tenant incurs a long-term closure – that is my understanding – by written notice. If you compare with Queensland and New South Wales, landlords may terminate a lease with a tenant for much lesser short-term infringements. Why has the government come to this position, and could you expand on the rationale of the difference and why you chose not to go with the tougher Queensland and New South Wales situations?

Enver ERDOGAN: When we were drafting this legislation we had the benefit of seeing how it was applied in different jurisdictions. The time and length of the settings we went for were actually quite similar in fact – up to 90 days – and that is what is in New South Wales and Queensland. So we would say our settings are almost identical in relation to the closure powers – up to 90 days. There might be a reason for a court to make it a lesser amount, but we feel up to 90 days is the short-term closure. Obviously for longer term closures there would need to be an application to a court for a court order to provide the court with flexibility. In fact I would say we have gone tougher, to a certain degree, because we have not set a maximum. Some of the jurisdictions have set a maximum of up to 12 months in the court process for long-term closures, but we have provided flexibility to the courts. They might say a longer closure period is needed for a premises. We would say that our short-term settings are comparable to Queensland and New South Wales, and to be honest we looked at theirs in drafting ours. In the longer term we have allowed the court jurisdiction to determine the length.

Melina BATH: In Queensland and New South Wales law a closure order states that a person must not supply smoking products as well as illicit tobacco, work in a smoking products business or supply any other service. From my understanding – and talking to the shadow minister in this case, Mr Tim McCurdy – the bill before us allows for a tenant to continue trading those other products, which could

be smoking products other than illicit products. Why did the minister not go to that length? What was the rationale behind that, and would you consider upgrading that in the future? Why did you cap it?

Enver ERDOGAN: That is a really good question, Ms Bath. That was something that I, as minister, really did think over a number of times. It was actually done more for remote areas, in terms of regional Victoria, or more peri-urban areas, where you do not have as many options. Let us say there was a grocer – sometimes inside businesses there are smaller business operations. If you close down the whole premises, the community still needs the other amenities, whatever other groceries they are selling. It was to not disadvantage the community and to provide that flexibility. Maybe after application you would see how it works, but that was really a big consideration for me in concluding that this is the best approach, because obviously in metropolitan Melbourne, if you close down one grocer, you can just walk down to the next one. That might not be an option in more remote parts of our state.

Melina BATH: Rounding out this discussion, Minister, in this bill there is a focus on premises closure, landlord penalties and disruption. Queensland, by contrast, has a broader enforcement package which includes seizure of illegal smoking products found alongside illicit tobacco. Why did the minister not consider those, and what about a separate enforcement schedule to the bill – powers to seize compromised legal stock found alongside that illicit stock – in terms of really removing that supply chain? What was the rationale behind not going to that extra extent in the way Queensland have completed theirs?

Enver ERDOGAN: We are giving closure and seizure powers. They already exist at Tobacco Licensing Victoria and Victoria Police. In fact you might see some of the powers in relation to holding the stock in storage and destroying some of the product seized, so there are existing powers for Tobacco Licensing Victoria regulators and also Victoria Police to seize products. The big issue with tobacco is that it is highly flammable, and storage has been a long-term bugbear of agencies. So this legislation also has got a clause in there about allowing us to, once we gather the appropriate evidence, use a seizure process. If the person does not appeal it, then we can destroy most of it, just keeping enough evidence for testing et cetera for the prosecution stage, because storage is a big issue. I think the issue is if we seize too many products that are not tobacco alone, that creates a storage issue and a safety issue, because a lot of these products are highly flammable.

Melina BATH: This is the last one for me on tobacco. Minister, I asked you a question in question time the other day in relation to the real danger that is occurring when you have got illicit tobacco stores in regional Victoria, for example – across the city but also in regional Victoria. The thuggery around those and the criminality around those means that people can be walking down the street and can be potentially abducted. How, within this bill and more broadly, will government tackle that? It is a really evil space that people are having to live in. What do you see is needed to work with police at a greater level to stop this? You did make comments – I am not saying that you are not sincere about it – but clearly it is unsustainable that you have got people walking down the street being abducted and dumped because of this illicit trade.

Enver ERDOGAN: Thank you, Ms Bath. I again want to express my deep sympathy to your constituent. That is a harrowing story, and I was also made aware of it. It is scary to see what can happen to innocent community members, especially small businesses that have been greatly affected. As minister, I have heard a lot of stories of, like I said, innocent small family businesses that have been caught up in all of this.

I think the goal is to strengthen the criminal justice settings. That happened last year with some of the tougher sentencing, because sometimes we are seeing a lot of repeat offenders in this space, and it does mean stronger coordination with our intelligence agencies. Some of the ringleaders that are behind this and the recruitment of young people are offshore, but now we are seeing that through partnership with the Commonwealth we need stronger action across federal and state agencies. We need more arrests. I think we need a visible deterrent. That is why the operation that Mr Limbrick

referred to was led by a group called the national disruption group, which brings together state and federal agencies. I think over the coming months – I do not want to pre-empt their work or reveal anything operational – you will see more arrests both internationally and locally of some of the ringleaders, because it cannot continue. We have seen too many innocent people hurt, and I want to see it end. I think this provides another tool towards that, but we know this is really insidious. States have been left, because of the broader national settings, to deal with this issue at a local level.

The DEPUTY PRESIDENT: If there are no further questions on tobacco, we will move to questions on any other topic in the bill.

Melina BATH: Minister, this relates to the reserve price in clause 26. Under clause 26, if a vendor decides on the day of the auction that they want to reduce their reserve price, are they legally able to do so and proceed with the auction that day?

Ingrid STITT: The simple answer is yes, they can. The publicly disclosed reserve price is not binding, leaving it open in practice for vendors to choose not to accept bids that reach or exceed the reserve price or to accept an offer below the reserve price in response to live market feedback on the day.

Melina BATH: Just confirming that if a vendor does then make a decision to lower their price on auction day, there is no requirement to comply with the seven-day reset. They can do it on the day. Is there any stipulation that you are aware of that has a lower cap or a lower limit? Could you just slightly unpack that ability to lower that reserve on auction day?

Ingrid STITT: Would you like me to cover off what the process is for setting and publishing the reserve price as well? I can do that. The reserve price is set by the seller, obviously. However, an estate agent will be required to offer advice on what a reserve price should be, as they are likely to have a better understanding of the property market and what a property is likely to sell for. The intention of this step is to ensure the seller has the information necessary to make an informed decision. The obligation is on the estate agent to publish the reserve price given to them by the seller. In respect to questions around whether the seller's reserve price is binding, the purpose of setting a reserve price is to provide better pricing information to auction participants at least one week out from the auction. The reserve price is the only situation where a vendor's estimate of their property value will be communicated to the market, rather than the price range determined by a real estate agent. Making it a requirement for a vendor to sell at their disclosed reserve price would severely restrict a vendor's ability to make decisions regarding the sale of their property. The intent behind this amendment is to make the system fairer for buyers while also not making it unfair for vendors.

Melina BATH: I will move on to section 27 of the Sale of Land Act 1962, in relation to confirming that repealing section 27 does not prevent the early release of a deposit but instead removes the existing statutory process and leaves early release to contractual arrangements. Can you confirm?

Ingrid STITT: The bill provides that vendors and purchasers are free to agree to a condition in the contract that facilitates the early release of the deposit. This means that purchasers can disagree to releasing the deposit early for any reason, rather than a specific reason set out in section 27. This is not a new concept. It is the same approach taken in New South Wales, and it ensures that the early release of a deposit is not simply taken as a right. The bill adds further consumer protections by removing the incentive for estate agents to apply undue pressure on vendors and purchasers to agree to release the deposit early, by prohibiting estate agents from retaining their commission from the deposit prior to settlement. The government's house amendment will address stakeholder concerns by clarifying that agents may still be paid their commission prior to settlement if the vendor agrees to pay it.

Melina BATH: Thanks, Minister; I appreciate that. I am going to move on. We have got a lot of amendments and still a lot of discussion. My next is around Motor Car Traders Claims Committee independence. What evidence does the government have that the existing Motor Car Traders Claims Committee is failing consumers? Can you expand on your decision within this bill? Why is it

preferable for the regulator that administers and investigates the scheme to also be able to determine claims in the first instance? Why have you removed that Motor Car Traders Claims Committee?

Ingrid STITT: The government acknowledges that the committee has been successful in resolving issues for consumers who lodge a claim for compensation, and it has resolved many of those matters promptly. But the government's decision to transfer the claims process to Consumer Affairs Victoria has been known for some time, and we have dealt with that through other legislation. The reasons for the change are that Consumer Affairs Victoria will be able to leverage their strong reputation for supporting Victorian consumers and provide a much more simplified end-to-end pathway by consolidating functions and powers for determining claims in the established regulator with existing compliance and enforcement functions in relation to motor car trading. The director of Consumer Affairs also manages the claims process for compensation claims against estate agents and conveyancers under their respective legislation, and they will be able to use that experience that they have and apply it to consumers that are dealing with these sorts of claims as well.

Melina BATH: Just unpack this, Minister. In terms of bad operators in this scenario, the amendment brief indicates that the industry evidence points to bad operators rather than a demonstrated failure of the committee model per se. Is this a kind of rationalisation approach, or had the committee failed? I am seeking to understand that with a bit more clarity, please.

Ingrid STITT: In terms of how these proposed reforms were developed, there has been quite a bit of work done. There is a recent research report from Consumer Affairs Victoria which found unlicensed traders were purchasing high volumes of used vehicles through auction houses and advertising them for sale online at high prices, with some posing as private sellers. There has been quite a bit of engagement with stakeholders, including the Consumer Action Law Centre and the Consumer Policy Research Centre. There have been a number of issues identified with the regulatory framework, including that consumers often lack awareness about what their pathway is to seek redress. Even when the pathways are used, they kind of operate separately and are at times duplicating and quite confusing for consumers. That was certainly one of the take-out messages from that stakeholder consultation. There was a high volume of consumers experiencing faults with their motor cars, with some of these faults discovered during the first year of ownership. There has certainly been a lot of stakeholder feedback about strengthening consumer rights in this space. That is one of the reasons why the government has taken the decision to transfer these claims to CAV.

Melina BATH: First of all, I am interested that you have mentioned the Consumer Action Law Centre. I am interested to understand what other industry stakeholders were taken into consideration when making this decision. That is the first question. While I am on my feet the second question is: if the feedback has been that consumers have been unaware of their rights or their pathways, how is this bill going to change that so that consumers can be better informed and have a better understanding about where to access that knowledge so that they will not be ripped off and there will be a better outcome for those consumers?

Ingrid STITT: Just in terms of the range of consumer and industry stakeholders that were consulted in developing these particular reforms, as I mentioned, they include the Consumer Action Law Centre, Consumer Policy Research Centre, the Federation of Community Legal Centres, Westjustice, the Australian Automotive Dealer Association, the Victorian Automotive Chamber of Commerce, Pickles auctions and Slattery Grays auction group. In terms of the benefits to consumers, I think I touched a little bit on that in answer to one of your previous questions, but clearly having the ability for CAV, with its resources and expertise in compliance and enforcement but also education and support of consumers, we believe is justified, given some of the emerging issues that we are seeing in this area, particularly around the concerning practice of bulk-buying from an auction house and then onselling very quickly, with some dubious practices uncovered.

Melina BATH: I am going to move now to section 32 in relation to the evidence that the minister in charge took on in relation to why 14 days was selected, rather than seven days or another period.

What had been that stakeholder consultation? What was the rationale? Have there been any other circumstances in other jurisdictions where 14 days was decided on, and what identified consumer harm was that particular period intended to address? Why 14 days?

Ingrid STITT: Noting of course that we have got a house amendment that covers this issue, our house amendment will allow sales to take place in circumstances where a vendor and purchaser agree to a sale but the section 32 statement has not yet been made available at the required time because the sale is to occur earlier in the campaign. This will balance stakeholder concerns that sales not be delayed, and it ensures that section 32 statements are made available earlier in a campaign than they are required to be now. If the sale is to be conducted via auction or fixed-date sale, the statement will need to be made available for at least 14 days, and this timeframe was selected based on stakeholder advice that it can often take up to 14 days for a purchaser to receive that legal or conveyancing advice on the statement's contents. We think that the house amendment strikes the right balance in making sure that vendors have the time to do that.

Melina BATH: Can I just go back a tiny step: did you say that the reserve price would be published but it is not binding? Is that something that I heard? If you do not mind, just go back and refresh that for clarity.

Ingrid STITT: I think you asked me about the day of auction and whether, if a vendor decides on the day of auction that they want to reduce their reserve price, they are legally able to do so, and the answer is yes, they can. Publicly disclosed reserve prices are not binding, leaving it open in practice for vendors to choose not to accept bids that reach or exceed the reserve price or to accept an offer below the reserve price. That can be, obviously, in response to the live market feedback on the day.

Melina BATH: Minister, we still have an amendment, I believe, around the 10 per cent range. I will update the house shortly. What consumer harm would arise from allowing a vendor to publish a transparent reserve range of no more than 10 per cent, provided any increase above that range restarts the seven-day disclosure period? What was the minister's and therefore the government's decision in relation to vendor harm in making this occur?

Ingrid STITT: Noting I am not the minister, but I am trying my best to channel the minister today – so taking a step back, the purpose of the reserve price disclosure reform is to provide additional information to prospective purchasers in addition to the indicative selling price, which is a 10 per cent range, so prospective purchasers can determine whether the reserve price is within their price range and whether they should spend money and time on due diligence such as inspecting the property and arranging for an independent building and pest inspection. Allowing disclosure of reserve price as a range we believe would diminish price transparency and will not achieve the intended outcome of the reform, and we will get to that when we get into the details of our various amendments, soonish. But I hope that answers your question, Ms Bath.

Melina BATH: There have been some questions in relation to clause 62, which have been in consideration of concern around caravan residential parks, so we might just have a look at those and see if we can expedite them while still covering off on them. In relation to clause 62 and fixed rent increases, options for how rental increases are applied to a part 4A site are included in section 8 of the Consumer Affairs agreement. This clause 62 would require all new part 4A site agreements to limit the annual percentage increase to a government-prescribed cap or CPI, whichever is greater. Can the minister speak to and explain the overall rationale behind clause 62, noting that there has been some concern from Caravan & Residential Parks Victoria?

Ingrid STITT: The bill clarifies how rent may be increased to make costs more predictable for site tenants on fixed incomes, noting of course that we know that a lot of our residents in residential parks are – not exclusively, but many would be – on an aged pension, for example. The bill proposes to limit rent increases by a fixed amount to the higher of CPI or a prescribed percentage. This change ensures increases remain reasonable and transparent. The bill also proposes to remove the ability for park

owners to increase rent by non-fixed amounts to ensure that the proposed fixed rent increase reforms provide the intended protections and certainty for site tenants. There are a range of options for any disputes in relation to these matters, but also if a site owner wishes to increase rent above CPI or a prescribed amount, they will need to get the support of at least 75 per cent of affected site tenants, and if they cannot get that support, they must apply to VCAT.

Melina BATH: In relation to this, we do know – I think I raised it in my second-reading speech and you have rightly said – that there are many people on pensions or reduced incomes who really value these as their home and also being part of a community, which can be really good if you are a single person as well. I just want you to walk through the assessment of this, clause 62, on housing supply, both in residential parks in the regions and in peri-urban Victoria. This is a larger statement, but clearly parks have to continue to make a profit. We do not want to see residential parks deteriorate where amenity starts to really fall apart and things are not working. So there has to be that balance between making a profit and not overcharging tenants so that they do have that security. What has the government considered in drafting this part of the bill?

Ingrid STITT: Maybe the way I can address this is just to talk to getting that balance right. Rent increases, in our view, are not an appropriate way to recover urgent and substantial expenditure. Residential park operators have a range of ways that they can raise urgent funds, including by having business insurance for unforeseen events. We have heard clearly from residents that special rent increases should not be used as a substitute for maintaining that kind of insurance. We certainly have, in the development of these reforms, had a very keen eye on the recommendations of the *Life in Residential Parks* report, which did find that site tenants are quite confused about price and concerned about cost affordability, with 57 per cent of residents surveyed saying they were concerned about site fees including rent increases. The report did recommend a single method for calculating rent increases. The bill goes further than that with the recommendation to protect consumers by capping rent increases at the higher of either CPI or a prescribed amount. This, as we have been discussing, really reflects the reality that many of the residents in parks are on fixed incomes. The reforms also recognise the specialist nature of the residential park sector. Unlike the private rental market, a site tenant is not able to easily move sites as they own the dwelling and that makes them quite vulnerable to rent increases.

I just want to clarify – my team has just reminded me, for clarity, that our house amendments remove the voting component from this section of the bill. My apologies, there are a lot of amendments, a lot of moving parts.

Melina BATH: We have a long day to go, so I will keep moving through some of these questions. On owners corporations, can we go and put our owners corporation hat on? How does the bill ensure that a payment plan for one lot owner does not result in other owners having to carry that owner's share of essential insurance, safety or maintenance costs?

Ingrid STITT: Payment plans spread payments of a lot owner's fees over a longer period. They do not mean the person does not pay. This will assist lot owners in temporarily financial hardship from the risk of spiralling debt and provide owners corps with a low-cost and collaborative pathway for recovering arrears that may otherwise never be recovered. In the case of a payment plan requested by a lot owner who is not an owner-occupier, the owners corp may use its discretion to accept or refuse a request for a payment plan. In the case of a request by a lot owner who is an owner-occupier for a payment plan of less than 12 months, the owners corp may refuse the request based on the financial circumstances of the owners corp. These will be detailed in the regulations and designed around the owners corp's ability to meet its statutory obligations and planned expenditure around its annual budget. This will protect other lot owners from impacts on the owners corporation's ability to meet essential costs.

Melina BATH: This can occur in smaller communities where you have got quite small owners corporations. For example, you may only have four owners in that owners corporation. What happens,

and how is there protection? Can you explain, if one of them goes into arrears or is on a payment plan, how that risk is shared, and what does this bill do to support that situation?

Ingrid STITT: Just going one step back, noting of course that the payment plan reforms will apply to tiers 1 to 4 owners corporations – that is, all owners corps with at least three lots; that, I am advised, covers about 91 per cent of lots in Victoria – all lot owners in tiers 1 to 4 owners corporations can request a payment plan under the framework in the bill with the associated protections from debt recovery action and being charged penalty interest. Owners corps will continue to be able to exercise their own discretion when deciding whether to accept a payment plan request by a lot owner who is not an owner-occupier. So there is that flexibility built in. This is really about trying to ensure that genuine financial hardship payment plan arrangements can be entered into in a way that does not adversely impact any other occupier.

Aiv PUGLIELLI: I will just pick up a couple of points on reserve prices and then go on to some other questions. Minister, you mentioned earlier that the reserve price declaration is not legally binding. Can I ask: does this also mean a seller can raise the reserve price on day of sale?

Ingrid STITT: Just bear with me; there is a bit in this. In terms of the reserve arrangements, as I have already indicated, I think in answer to a question from Ms Bath, there is the ability of course to change the reserve price on the day of auction or sale depending on the market conditions on the day. The reforms build on the notion that there will need to be adequate notice given if there is a change to the reserve price in other circumstances. I am just going to check with my team for one particular detail on that.

The question was: can a reserve price change after being published to respond to changing market conditions? The answer is if a seller wishes to change the publicly disclosed reserve price before the auction or fixed-date sale, the clock will reset and they will need to wait a further seven days before conducting the sale. This ensures that purchasers have a full seven days to consider whether to engage in the sale process. Allowing changes to the reserve price without changing the date would undermine the policy intent of helping prospective purchasers determine whether the minimum selling price is within their price range and whether they should spend money and time on due diligence and attending auctions or submitting offers.

Aiv PUGLIELLI: Apologies – there were a few things going on in the midst of that. I am just trying to make sure I have definitely understood what you are saying. Per this bill, a reserve price is declared. Then we get to the day of a sale, and based on what I think you have said – the market conditions of the day – the seller can change the reserve price provided they give adequate notice. Could you elaborate on what you meant by that and what then would transpire for people trying to purchase that property?

Ingrid STITT: I would take you back to the answer I was just giving. I have already gone through the circumstances and the arrangements in place that would be required if the reserve price changed after being published to respond to changing market conditions. The specific questions that Ms Bath was asking me were in relation to if the vendor decides on the day of auction that they want to reduce their reserve price, are they are legally able to do so. The answer to that scenario is yes, they can. Publicly disclosed reserve prices are not binding, leaving it open to practice for vendors to choose not to accept bids that reach or exceed the reserve price or to accept an offer below the reserve price in response to live market feedback on the day. There are reasons why you would want to try to give as much certainty to purchasers as possible by being transparent about the reserve, but also you have got to recognise that, the market being a market, there needs to be that ability to change on day of sale or auction.

Aiv PUGLIELLI: Will this mean that sellers will not have to accept offers made at the declared reserve price if they have then gone on to raise the reserve on the day?

Ingrid STITT: Sorry, can you just repeat the end of that question?

Aiv PUGLIELLI: Maybe I will flip it the other way around so it is easier. If, on the day of sale, the reserve price has been raised, will this mean that sellers will not have to accept offers made at the originally declared reserve price?

Ingrid STITT: If the seller wishes to change the publicly disclosed reserve price before the auction or fixed date sale, the clock will reset. If they are wishing to change the reserve price on the day of auction – if they want to reduce it – they may do so. The distinction here is we have been talking about whether the vendor accepts bids or not that reach the reserve. Of course that is not binding. They can choose not to sell the property.

Aiv PUGLIELLI: Are there elements of this, though, that undermine perhaps the government's stated intent with respect to these divisions of providing consumers certainty of the reserve price for a property they are going to buy, as opposed to what happens at the moment where buyers go endlessly to auctions without that certainty of it being even within their price range?

Ingrid STITT: I think the best way to address that question is to really go to why these reforms are being made and why the government is trying to make these changes. The reforms, we believe, will support enforcement of underquoting while also minimising the impact of underquoting on consumers where that still occurs. The reform is about letting consumers understand if the property is in their price range and allowing them to do their due diligence. I think that there has been plenty of stakeholder feedback and consumer experience of when they think a property is within their price range based on the advertised range and they spend a lot of money on due diligence, including things like building and pest inspections, only to then find that actually it has been lowballed and underquoted. This is another mechanism to be able to give consumers that certainty, and it is a critical element of the reforms, obviously.

Aiv PUGLIELLI: On certainty, though, if the originally declared reserve price, then, on the day of sale, based on market conditions of the day, as you have stated, can be increased, is there certainty for the consumer, or is it the government's view that this is just better than what happens now?

Ingrid STITT: I did not say that it could be increased on the day. I did not say that. The reserve price could be decreased. That was the question that Ms Bath put to me, and I clarified that the clock would reset if you were trying to increase the reserve on the day.

Aiv PUGLIELLI: I am definitely not trying to put words in your mouth here. Perhaps to clarify: if the clock resets and then a new higher price is declared, then what happens?

Ingrid STITT: There would need to be seven days notice for that. But perhaps, if it helps, if there is a higher bid, the vendor can accept that, but the reserve price itself cannot be increased on the day.

Aiv PUGLIELLI: Just to round off this line of questioning, if the declaration of the reserve price is not legally binding, can the government provide a justification of why it is still legislating it?

Ingrid STITT: I think I have answered that in relation to what the motivation is here for the government to pursue this change. It is about letting consumers understand if the property is within their price range so people do not waste their weekends at auctions that they would have been all along unable to afford. It is about transparency and giving more certainty to people who are trying to break into the property market, or anyone, for that matter, who is trying to purchase a property. It is probably the biggest purchase they will ever make in their life.

Aiv PUGLIELLI: I will move on to another area of the bill. I am looking at the owners corporation payment plans. The legislation, as it stands, makes provision for payment plans. This is a meaningful reform that will go a way to supporting people experiencing financial distress. Critically, the reforms do not mandate that they actually be offered; rather, it is assumed that the consumer is aware of them and is able and willing to ask. Minister, case studies provided by Mortgage Stress Victoria show Victorians facing the loss of their homes over owners corporation debts as small as \$5700. One auction was stopped with just 1 hour to spare. Can I ask: why does this bill not require an owners corporation

to proactively offer a payment plan before it can commence legal proceedings that could make someone homeless?

Ingrid STITT: Of course this is an important change, because it does provide, for the first time, an option for a payment plan. This is in recognition that we know that there are many people in these sorts of housing situations who are in arrears. It is one way to try to address the stress and financial hardship that can come from that situation, and it is an important step in the right direction. I was talking, in answer to some of Ms Bath's questions about this particular part of the bill, to there being a range of opportunities for small owners corp residents to be able to request that they go onto a payment plan. In the case of a request for a payment plan by a lot owner who is an owner-occupier, the owners corp, it is true, can refuse, but they can only refuse the request if the lot owner has not provided the prescribed financial hardship information, the lot owner has an existing payment plan, the lot owner has not complied with a payment plan in the previous two years or accepting would result in prescribed financial circumstances for the owners corp, such as being unable to meet its statutory obligations. We have certainly sought to try to make it as fair as possible for those that we know are in financial distress, and many of them, as I indicated, can be in arrears.

Aiv PUGLIELLI: The legislation as it stands makes provision for payment plans. Critically, the payment plans, though, are limited to 12 months. There are many circumstances where that would not be sufficient, and the limitation on payment plans in the bill does not recognise that those financial situations change over time. For example, there is a grandmother in Melbourne, a pensioner, who has been hit with a \$50,000 special levy for essential building repairs. Her owners corporation agreed to let her pay over five years. Under this bill's 12-month cap that would be impossible. Two-thirds of her pension already goes to her owners corporation; she will work until she is nearly 80 to keep her home. Why has the government chosen a hard 12-month cap when, for example, New South Wales allows further extensions? Why is Victoria starting from a position that is worse for vulnerable owners than models like the one New South Wales has?

Ingrid STITT: There are just a couple of points to make on this. A payment plan for an owner-occupier is for a maximum term of 12 months, but they can then immediately enter into a further 12-month payment plan. I would also point out that owners corporations may, at their discretion, enter into payment plans of any length. This is, we say, a good start and something that has not been available to these sorts of owner-occupiers in the past.

Aiv PUGLIELLI: Looking more particularly at commissions and referral fees for owners corporation managers, the government's own expert panel recommended a full ban on commissions and referral fees for owners corporation managers. They found conflicts of interest are systemic and disclosure has failed. The government has deferred this, and the change has not been included in this legislation as it stands. Can the minister explain to the thousands of Victorian apartment owners out there whose fees are inflated by these conflicted remunerations why the government has rejected its own expert panel's recommendation?

Ingrid STITT: In relation to our amendments on owners corps, what we are doing in this bill is only the first two amendments in a much larger body of work. We will continue to work on this. We have accepted this recommendation in terms of that report that you have referenced. This is already quite significant reform, but the government is obviously committed to continuing to reform in areas we know and have accepted need further protections. I hope that answers your question, Mr Puglielli.

Aiv PUGLIELLI: Just to confirm, from your response, is it the case that the government intends on implementing a full ban on commissions and referral fees for owners corporation managers, and is there a timeline for when this would be delivered?

Ingrid STITT: I am advised that the government, as I have already indicated, supports in principle the need to further regulate the role of owners corp managers and the role they play in procuring third party goods and services and other issues that you have raised. My advice is that the Department of

Government Services is undertaking further work to assess the market impacts of banning commissions in Victoria. I am unable to put a timeline on that work at this point, but certainly there is a lot of work being done to look at what other reforms can be developed over time.

Aiv PUGLIELLI: Just to clarify further from that response before I move on, is it the case that the government feel they do not have sufficient evidence from the existing work of the expert panel to make this amendment in the future?

Ingrid STITT: I can see why you are trying to get me to go further, but this is complex work, and we have got to do the policy work, including the economic analysis.

Aiv PUGLIELLI: I will move on. As you are aware, some of the amendments permitted as out of scope to this bill before us amend the Building Act 1993, Building and Plumbing Administration Enforcement Act 2026 and others, bringing those more into play. Minister, I want to return to a matter I briefly raised in this chamber back on 12 May. I asked at the time whether it was the government's intention that developers might avoid liability where consumers had acted proactively and already rectified defective works in their buildings, for example, because of safety compliance or the continued use of the building. The answer I was provided in the commencement of the government's response was that the short answer is no. There are owners and owners corporations that are experiencing problems now, so can I just clarify what the government intends to do about it?

Ingrid STITT: The government's new developer bond scheme will cover residential apartment buildings above three storeys for noncompliant and defective work for a period of two years after occupancy. This scheme will commence in 2027. It addresses a gap in the current protections that require consumers and owners corps to pursue these costs civilly. It cannot be applied retrospectively as no bond has been paid in these circumstances. However, civil channels for compensation remain available to these owners. The rectification order (RO) power allows the regulator to order builders or developers to return and rectify defective work for a period of up to 10 years. This is designed to cause rectification and is not designed to discipline practitioners. The commission has other powers to discipline rogue practitioners, and it regularly exercises those powers.

Aiv PUGLIELLI: Just to elaborate a bit further, take an existing residential apartment building over three storeys where defective work is within the applicable 10-year period. The owners have already paid to rectify it, and the builder is insolvent or otherwise not a practical source of recovery. Can you inform the chamber what statutory mechanism presently allows those owners to recover their reasonable rectification costs directly from the developer? If there is no such mechanism, does the government accept that the gap identified earlier this year in this house remains unresolved?

Ingrid STITT: The government's own expert panel on building reform recommended back in November 2023 that consideration be given to extending the statutory warranties in section 8 of the Domestic Building Contracts Act 1995 to developers, allowing purchasers to bring proceedings directly against a developer for defective work. That recommendation is now almost three years old. The government has also now acknowledged that the present outcome for consumers who acted promptly was not intended. The changes that we are bringing are about giving an avenue for owners where they currently do not have one.

My apologies for that confusion, Mr Puglielli. I will take the blame for this. I was confused by going back to a previous statement I think you referred to, and I am not sure if that was in relation to a previous bill or whether it was a question to a minister. But perhaps we can try again on your follow-up question and I will get a clearer answer on the record for you.

Aiv Puglielli interjected.

Ingrid STITT: As in the gap identified. I just need a bit of clarity. The developer bond scheme, we say, does cover the gap.

Aiv PUGLIELLI: Hopefully this assists – perhaps I will rephrase. If we look at an existing residential apartment building that is over three storeys and the defective work is identified within an applicable 10-year period and the owners have already paid to rectify it, yet the builder is insolvent or otherwise not a practical source of recovery, does the government accept that this falls within a gap in terms of current legislation?

Ingrid STITT: So it is about an insolvency scenario? Yes, thank you. That is clear now.

Mr Puglielli, thanks for your patience. Essentially this will come down to whether building insurance was taken out. If it was, there will be the ability for redress for the owner.

Aiv PUGLIELLI: Just to follow that to its logical conclusion, if there was not that insurance, there would be no redress for the owner. Is that correct?

Ingrid STITT: It is a requirement to have that building insurance. They are reforms that the government has previously enacted through the Building and Plumbing Commission (BPC).

Aiv PUGLIELLI: You actually touched on this earlier in one of your responses. I am looking at the expert panel on building reform – the recommendation from November 2023 that consideration be given to extending statutory warranties in section 8 of the Domestic Building Contracts Act 1995 to developers, allowing purchasers to bring proceedings directly against developers for defective work. That recommendation being now almost three years old, can I ask: when will the government implement that particular recommendation by way of legislation giving affected owners a direct statutory remedy against developers while broadening the powers of the BPC so that it can investigate defects that have already been rectified and, where appropriate, require a builder or developer to reimburse or contribute to the reasonable rectification costs that have already been incurred?

Ingrid STITT: Leaving aside the million acronyms that are flying around here, Mr Puglielli, the DBS provides protections from 1 July 2027, and then you also have the new RO powers. And of course this set of amendments before the house today includes the developer bond scheme, which we have already touched on. So we are making significant progress in what is before the house today.

Aiv PUGLIELLI: Minister, noting those points that you have just highlighted, does the government accept, though, that there is still a cohort out there who have fallen through a gap currently because they, being responsible owners, acted and incurred financial costs before a regulator or any other body was present to intervene?

Ingrid STITT: Unfortunately, yes, Mr Puglielli. But the reforms that our government has pursued over not just this term but the previous term are all about trying to address those gaps and making sure that home owners in these sorts of dwellings have more rights available to them and that we are building a framework and regulators with teeth.

Aiv PUGLIELLI: As you highlighted, this is a matter of progress. Is there a timeframe the government can provide wherein further reform will be considered to address the financial position of people within this cohort who have incurred costs trying to rectify matters taking it upon themselves?

Ingrid STITT: I think the important point to make is that rectification orders are retrospective up to 10 years after issuing of an occupancy permit, and developer bonds are only applicable to new builds and as such cannot be retrospective. I just want to be clear on that. Through the Building and Plumbing Commission, there are a range of dispute and mediation services that are available to owners and builders and developers, as well as through VCAT, to ensure that consumers are not left exposed to dodgy building works, and of course the Building and Plumbing Commission is always available to meet with people and discuss cases and provide assistance wherever possible. I reiterate that there are some important reforms coming forward and reforms that have already been made to significantly strengthen protection for owners of properties in this sort of category.

Aiv PUGLIELLI: Given that you have identified and acknowledged a cohort that exists who have already financially incurred costs trying to take reasonable steps for rectification within their building – you have acknowledged that that cohort does exist – does the government accept that further legislation for this cohort is needed, and is the government prepared to commit to doing that work?

Ingrid STITT: I think I have already been clear on the issues around this. The government has acted, and there are key changes and initiatives that are being implemented. Some of these have retrospective power, but there are limits to that, and of course the government will continue to regularly look at ways that we can strengthen consumer protections, as evidenced by the vast volume of amendments that are before the house today. But I think I have been pretty open about where we are at with these reforms right now.

Aiv PUGLIELLI: Just one more from me for the minister: will the government commit to ensuring that owners presently suffering the types of losses financially that I have spoken about are included in the solution, rather than introducing prospective reforms that primarily assist future consumers?

Ingrid STITT: I think I touched on this. A couple of things: the Building and Plumbing Administration and Enforcement Act 2026 introduces expanded powers for the regulator to enforce compliance and pursue costs, and the new act includes a provision for damages for a person who suffers loss. Those changes come into effect on 1 December 2027. And I think I have touched on this issue as well, but just for completeness, rectification orders are retrospective for up to 10 years after issuing of an occupancy permit. Developer bonds are only applicable to new builds and as such cannot be retrospective. And through the Building and Plumbing Commission there are a range of dispute and mediation services available, which I have already covered off, as well as of course the option for action through VCAT to ensure that consumers are not left exposed to dodgy building works.

Aiv PUGLIELLI: I move:

1. Clause 1, page 3, after line 18 insert –
“(iii) in relation to proxy voting; and”.

I touched on this in the second-reading debate. This amendment will limit the number of proxies that any member of an owners corporation can hold to one per person, except for the current exemptions for family members. Currently, this is the case for buildings of up to 20 units and for any larger owners corporations from 21, right up to those 1000-unit apartment towers that we have in the CBD, Box Hill in my electorate and places across Melbourne. In these settings one person can collect proxy votes for up to 5 per cent of owners, and as I have highlighted in my speech, this can mean that one person can harvest a significant number of proxies with the intent of influencing and potentially controlling decisions of an owners corporation. This is leading to poor outcomes for owners of apartments, with real estate agents, developers and the like farming preferences and controlling decisions of owners corporations in their own interests rather than the interests of all owners. It is my intention, on behalf of Greens colleagues, that we end this practice, and limiting proxies to one per person we hope will achieve this.

Ingrid STITT: The government will be supporting this amendment. I would like to thank you and the Greens for working collaboratively with us on this. There is already a proxy cap under section 89D of the Owners Corporations Act 2006 that prohibits a person acting on behalf of more than one lot owner if there are less than 20 lots or more than 5 per cent of lot owners if there are more than 20 occupiable lots. This provision was introduced in 2021 and has made a significant difference to proxy abuse in owners corporations, preventing the easy formation of voting blocs through proxy farming. However, examples remain showing calculated bad behaviour from developers and owners corporation managers, for example, where the developer collects proxies in multiple blocks of 5 per cent to secure a majority of committee positions to control the committee and vote on actions that affect the developer. The amendment does work to address this, and the government response to the OC act review supports further solutions to these known issues by restricting multiple employees and

associates of the same organisation from exercising proxy votes beyond the existing proxy cap and introducing penalties for breaching the proxy cap. These reforms will be progressed as a priority during the implementation of the government response early in the next term of government.

Melina BATH: The Nationals and Liberals will also support this amendment. I note that in last evening's second-reading debate Mr Davis went into great detail about this and read some case studies in relation to this. I think it is a worthwhile inclusion in this bill.

Aiv PUGLIELLI: I thank members for their contributions and their constructive manner with respect to this amendment.

The DEPUTY PRESIDENT: The question is that Mr Puglielli's amendment 1, which tests amendments 5 and 6, be agreed to.

Amendment agreed to.

The DEPUTY PRESIDENT: Ms Bath, I invite you to move your amendment 1 on your sheet 57C, which tests all the amendments on that sheet.

Melina BATH: I move:

1. Clause 1, page 4, after line 28 insert –
“(iv) in relation to the conduct of public auctions by auctioneers; and”.

I am sure we are all going to be acting in a similarly collegiate manner right now. I would like to speak to all of these amendments, noting that this, the first in clause 1, tests everything. These amendments are in relation to the reserve price disclosure reforms. They keep them, without a doubt, but they make them more flexible and transparent. Instead of requiring a single reserve price, vendors can, through this amendment, publish either a single price or a reserve range of up to 10 per cent. They also introduce greater transparency during auctions by requiring auctioneers to disclose reserve prices and pre-auction offers. The amendments add public auctions to the objectives of this bill; allow the seller's reserve price to be expressed in either way, as I have just mentioned; further prevent the reserve price from being set below a rejected offer already received or the agent's estimated selling price; and protect against reserve prices being used to facilitate underquoting.

Amendments 11 and 13 in this tranche allow a reserve price to be reduced without triggering an offence or delaying the auction, provided it remains within the disclosed framework. It also, in section 42A, requires that the auctioneer must announce the final reserve price at the start of the auction. The auctioneer must announce when bidding reaches the reserve. The auctioneer must disclose any pre-auction offers. It updates any other amendments to this bill as required.

Ingrid STITT: The government does not support the proposed amendments to the reserve price disclosure amendments in the bill as they will not improve outcomes for Victorian homebuyers. In relation to determining the seller's reserve price, the government does not support the proposed amendment that would alter the process for determining the seller's reserve price as this could result in vendors not being provided appropriate advice to inform their decision-making and instructions to their real estate agent. Under the process set out in the bill in clause 26, which inserts new section 47AG, estate agents will be required to offer advice on what a reserve price should be as they are the experts on the property market and have a better understanding of market conditions and what a property is likely to sell for. The intention of this step is to ensure that the vendor has information necessary to make an informed decision. The responsibility to set the publicly disclosed reserve price ultimately rests with the vendor.

The government does not support the proposed amendment that would allow an estate agent to revise a seller's reserve price downwards but not upwards without meeting the seven-day period before an auction or fixed-date sale. The government does not support this. The purpose of these reforms is to end the frustration that prospective buyers feel when they go to an auction and learn that the house

was never in their price range. Even if reserve prices can be lowered within the seven-day limit, this causes its own unintended consequences by encouraging more buyers to participate without having the same amount of time as buyers who were able to afford the higher price range to do their due diligence.

Allowing changes to the reserve price without impacting the date of the auction or fixed-date sale date would undermine the policy intent of helping prospective purchasers determine whether the minimum selling price is within their price range and whether they should spend money and time on due diligence, such as inspecting the property and arranging for an independent building and pest inspection. This includes situations where the seller lowers their reserve price within the seven-day period. A lower reserve price may open the property up to buyers with lower budgets who would not have participated at the previous higher reserve price. Delaying the auction after the change in the reserve price would provide these new prospective buyers with time to conduct due diligence prior to the auction. This is an important protection, as those who buy at auction are not entitled to a cooling-off period. Auction contracts tend to be unconditional. As we discussed in committee, I note that the publicly disclosed reserve prices are not binding, leaving it open in practice for vendors to choose not to accept bids that reach or exceed the reserve price or to accept an offer below the reserve price in response to the live market feedback on the day.

Aiv PUGLIELLI: I will state from the outset that I want to congratulate Ms Benham for working on some of these amendments – a really constructive approach. It has made it very helpful, given the scale and scope of this bill, having them all individually set out the way they have been. I just want to put that on record; my colleagues and I are appreciative of that approach.

We are not going to be supporting this particular amendment. We went into the reserve price declarations in a bit of detail earlier in the committee stage. As it stands already I have concerns about whether the government's provisions meet their own intent around certainty for consumers. However, I am not sure that this would make that any better. There are already concerns I have, and this does not address those. We are not in a position to support the amendment.

Council divided on amendment:

Ayes (14): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (19): Ryan Batchelor, John Berger, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Gayle Tierney, Sheena Watt

Amendment negatived.

Business interrupted pursuant to standing orders.

Questions without notice and ministers statements

Energy policy

David DAVIS (Southern Metropolitan) (12:06): (1421) My question is for the minister for energy. Minister, a new RedBridge poll of 1006 Victorian voters shows 68 per cent support the option of gas in new homes and just 14 per cent are opposed. Is it still government policy to ban gas to new homes?

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:06): I thank Mr Davis for his question. Mr Davis, my priority as the minister for energy is of course on keeping bills down and supporting families and businesses while guaranteeing gas supply for industry. It is really important to realise that we acknowledge that gas is a transition fuel, but supply is dwindling,

and there is no denying that. It is getting more expensive, and it is depleting. What I can say is that switching to electric in an existing home can save up to \$2000 a year. It is why we have got policies to support people –

David Davis interjected.

Jaclyn SYMES: It is not nonsense, Mr Davis. It is why we have got policies around helping families to switch to stable, reliable energy options like electricity and solar, which are really popular. We do not think it is appropriate to indefinitely lock households into high international gas prices, because it will leave other families and small businesses paying more.

We have the *Gas Substitution Roadmap*, Mr Davis. I am sure you are familiar with that. We are ensuring that there are no gas shortfalls. Importantly, this gas strategy is working. In the latest 2026 gas forecast AEMO states that our gas demand is forecast to reduce by 10.5 per cent over the next five years. Also, AEMO have said that the gas supply concerns are being moved out further and further because of the action we are taking – so reducing demand, making sure that the issues of when supply becomes an issue – it was 2027, it is now 2029. From 1 January 2027 all new homes will be built all-electric. This, as I said, saves families, saves householders around \$880 per year, putting money back into the pockets of those families. It is important also that if you have an all-electric home in a new build and you have solar, you can save around \$1800 a year. Mr Davis, this is about ensuring we have the right policy settings to ensure that the gas supply can be kept for where it is needed, and we are helping reduce the family costs of everyday households.

David DAVIS (Southern Metropolitan) (12:09): I am disappointed with the minister's response there, but leaving –

Members interjecting.

David DAVIS: In 2024 the Premier Ben Carroll contradicted your predecessor Lily D'Ambrosio, saying, 'I have gas at home. We're keeping it for a range of reasons.' I think that is symbolic of a lot of Victorians. A lot of Victorians like cooking with gas. Is a reversal of your government's stubborn policy position to ban gas to new homes under active consideration?

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:09): Mr Davis, Victorians who already have gas can keep using it. If you already have gas, you can continue to have gas, including gas cooktops.

Members interjecting.

The PRESIDENT: Mr Davis, I notice you paused, because you enjoy silence when you make a contribution.

David Davis interjected.

The PRESIDENT: Actually you paused and people went silent, because you enjoy silence when you make a contribution, I have noticed, as we all do. So maybe show the same respect to the minister when she is answering the question.

Jaclyn SYMES: Mr Davis, as I said, people with existing cooktops can keep using them, including those that like to cook with gas cooktops. Our policies are about reducing demand and reducing costs, as opposed to those that you support, which will push up bills and squeeze supply out for industry.

Youth justice system

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:11): (1422) My question is for the minister representing the Minister for Children. The Commission for Children and Young People's recent report *With Us, Not against Us* found that Victorian children under 14 who entered the criminal justice system had disproportionately experienced racism, disability and marginalisation. Twenty-

seven per cent were Aboriginal, 42 per cent were from multicultural backgrounds and 88 per cent were living with disability. Minister, what changes will the government make to ensure that Aboriginal and multicultural children and children experiencing disabilities who also experience multiple and intersecting forms of disadvantage receive coordinated, culturally safe early intervention before repeated child protection involvement leads to contact with the criminal justice system?

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:12): Apologies to the chamber. I should have indicated at the start of question time that Minister Blandthorn is at a MinCo today, so I am happy to take questions on her behalf and indeed your question – important question, important issues. We have a dedicated Minister for Children for exactly some of these reasons. She is also the Minister for Disability. In terms of the issues you have raised, I am sure she will be very pleased to answer, Ms Gray-Barberio, in accordance with the standing orders.

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:12): Thank you, Minister. My supplementary is: the report also found that 26 Victorian children who entered the criminal justice system were collectively the subject of 250 child protection reports. Most were the subject of reports before turning five years old. Most had experienced family violence, many had been removed from the care of their families and almost 80 per cent were chronically absent from school. These children were therefore known to multiple systems, like child protection, Orange Door, education, out-of-home care and the police, but those contacts did not translate into coordinated, effective support for these children. Minister, has the Victorian Labor government accepted the commission's recommendation to rebalance investment towards evidence-based early intervention and family support services to prevent children entering the criminal justice system?

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:13): Whilst I will pass that on to Minister Blandthorn, I can confidently say that early intervention is something that Minister Blandthorn is very passionate about.

Ministers statements: waste and recycling management

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:13): I rise today to update the house on Victoria's strong waste management system, which is delivering better environmental outcomes, creating jobs and supporting the circular economy. The results speak for themselves. Since the container deposit scheme commenced in November 2023 Victorians have returned more than 3.47 billion containers through more than 22 million transactions. I personally take my daughter along for her, I do not know, \$30 about four times a year, and it is something that young people are really, really passionate about.

Nick McGowan interjected.

Jaclyn SYMES: I am not profiting. I am doing the work. She is getting the 30 bucks. The scheme has created 615 jobs and supported over 6000 donation partners across the state, helping communities while reducing waste. The achievement builds on the Labor government's more than \$538 million investment into the circular economy since 2020. The achievements in reducing waste have been delivered in collaboration with local governments and backed by a clear, costed plan. I cannot say the same for other proposals, such as mandating weekly red bin collections, a plan that can only be implemented by forcing councils to cut crucial services like mental health, local sporting fields, libraries and road repairs. It is a plan developed without consulting councils and slammed by the MAV, who have confirmed it will cost millions per council to implement and require existing contracts to be ripped up. We should all create good policy. It should be off the back of evidence-based approaches that reduce waste, support resource recovery and allow councils to respond to the unique circumstances of their communities.

Austin Health

Georgie CROZIER (Southern Metropolitan) (12:15): (1423) My question is to the Minister for Mental Health. The Austin Health child inpatient unit is a 12-bed acute mental health unit for children up to 12 years old. It is the only statewide service that cares for and treats children up to 12 years old with severe or complex mental health problems and severe difficulties with emotions, behaviours and relationships. The child inpatient unit has been shut down following allegations of bullying and use of force on the primary school aged inpatients. Minister, is Safer Care Victoria undertaking an investigation into unsafe care, harm and the use of force on children admitted to the Austin Health child inpatient unit not just over this recent case but over the past three years?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:16): I thank Ms Crozier for her question. Of course these are incredibly concerning allegations. What we have heard is unacceptable. Everyone deserves to feel safe, whether they are working in our mental health system or whether they are seeking care in our health services. What I can advise the house is that the health service has quite rightly taken immediate action and is conducting a thorough review for what has been –

Nick McGowan: So you have no idea?

Ingrid STITT: I have got a lot of ideas about this, and I think they are very serious issues, Mr McGowan. As is my practice, though, I will not be providing details about individuals. This is a very, very concerning set of circumstances, and I do not want to cut across the review that is already underway. It is important to allow those processes to take their course, but I do support the strong action of the health service in immediately taking a number of steps. The health service and my department will take any findings very seriously. I can also advise the house that the Department of Health and Safer Care Victoria have been advised, and there has been a mandatory notification made to the Commission for Children and Young People, as is absolutely appropriate. It is important that we allow these processes to take their course without further comment. I would also note that I am very mindful of the privacy of both consumers and families in this facility and of course the staff involved. I am advised that there have been a number of staff stood down while these investigations take place. Admissions for that unit have been paused, but arrangements have been put in place for referrals to other suitable health services. I am very supportive of the strong and immediate action that the health services have taken in light of these serious allegations.

Georgie CROZIER (Southern Metropolitan) (12:19): Thank you for that response. Minister, what is the future of the Austin Health child inpatient unit?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:19): As I said in my answer to your substantive question, Ms Crozier, it is important that we allow these processes to take their course and for these matters to be thoroughly investigated. I am not going to cut across that process.

Waste and recycling management

David LIMBRICK (South-Eastern Metropolitan) (12:19): (1424) I recently met with a landowner who owns a property in Diggers Rest. She is a 70-year-old grandmother. She leased the property out to a tenant, and a few days after that she was alerted to the fact that there was illegal dumping happening on her property. This is for the Minister for Environment – apologies. She went to the EPA, who did nothing. She went to the police, who did nothing. She went to the council, who did nothing. She begged the EPA to try and stop this dumping happening. It was clearly run by organised crime. It went on for a month, at which point there was about 2000 tonnes of rubbish on the property. The tenant was issued a notice to clear the rubbish, and the deadline for that was today. Can the minister please update me on what is happening with this case?

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:20): I thank Mr Limbrick for his question, and obviously I express my anger and equal frustration for this individual and what has happened to her. My advice is similar to the advice in the way you framed the question. There have been a number of steps taken. The EPA has ordered the former tenant to immediately cease accepting industrial waste. I understand that dumping has ceased, and they have been asked to remove all waste deposited by the end of today. The EPA will not hesitate to take escalated enforcement action should the occupier fail to comply.

Members interjecting.

Jaclyn SYMES: Thank you, Mr Limbrick. I am addressing my answer to you. It is an operational matter, so I will have to be careful along the way in how I am able to brief you. However, I give a commitment to giving you an update when I can.

In relation to the ability of the EPA to take action, I would refer to some previous cases. Illegal dumping is one of the most frustrating things. It is escalating. We want to stop it. This is on an industrial scale. What is the ability of the EPA to take action? I refer to a previous case that was in Diamond Creek.

Nick McGowan interjected.

Jaclyn SYMES: I now have ministerial responsibility, Mr McGowan, and I am answering Mr Limbrick's question. In answering Mr Limbrick's question, I was very keen to make sure –

Members interjecting.

The PRESIDENT: Order! Mr Limbrick is not interjecting I believe. He wants to hear the answer, so pay respect to him and the minister in this important interaction.

Jaclyn SYMES: As I said, with the enforcement action I wanted to see what has been going on. In 2025–26 almost \$600,000 court-ordered penalties have been issued and more than \$118,000 in fines. There have been civil proceedings, restorative project orders that have been required to be paid and about \$100,000 in other penalties. A similar case effect in terms of these really significant cases was the one in Diamond Creek, where the accused pleaded guilty and was convicted. They were fined \$60,000 and ordered to pay \$12,000 in legal costs and must clean up the site, even if it is sold, with clean-up costs expected to be in excess of \$1 million. I wanted to draw your attention to a case that is more advanced than the one that you have drawn to my attention and that I am at liberty to speak about because the court proceedings have been completed.

David LIMBRICK (South-Eastern Metropolitan) (12:23): I thank the minister for that answer. I would say, though, that I feel like the EPA has failed to protect the property rights of this landholder. She informed the EPA as soon as she was aware of it, and they did nothing. The reason given to her was that they did not want to get involved because of the safety of their staff, because this was an organised crime issue. She went down there herself to try and stop them. A 70-year-old grandmother standing up to organised crime: that is what it has come to in this state. She is still desperate. She copied me in on communications to the minister and other people as recently as last Sunday. She has actually been issued an order by the Hume City Council under section 127 to clean it up herself. She is absolutely desperate. What is the government going to do here to try and rectify this situation?

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:24): I thank Mr Limbrick for his supplementary question. As I indicated in the answer to your substantive question, it is an operational matter. You have brought it to my attention today. I will make further inquiries. My advice is that the property was leased in June 2026, and after reports of illegal dumping on the site in early July the EPA confirmed the presence of illegally dumped industrial waste on 16 July. The VCAT application initiated by the landlord for eviction orders and to take repossession of the land was successfully supported and issued on 24 July. The orders were served by police on

29 July, which brings us to the next step of the requirement to clean up the property by today. In relation to the next steps, I am more than happy to ensure that I update you as the information becomes available, because I have not received advice in relation to the status of the property today, which is the required action. Next steps from today will be taken if it is not satisfactory.

Ministers statements: mental health system

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:25): I rise to speak on this government's commitment to the implementation of the Royal Commission into Victoria's Mental Health System. I start by noting that there is no other jurisdiction in the country doing more to reform the mental health system than here in Victoria. You will see from the Productivity Commission's recent report on the National Mental Health and Suicide Prevention Agreement that Victoria's contribution is more than all other states and territories combined.

Five years on we have made significant progress on delivering on the royal commission. We have delivered more than 180 acute beds for adults, young people, women, older Victorians and hospital-in-the-home beds, with 50 more funded in the 2026–27 budget. We have delivered 22 locals across 24 locations, and they have supported over 43,000 Victorians to access free mental health care and support close to home without needing a GP referral or a Medicare card.

The commission said we needed dedicated alcohol and other drug and mental health emergency department hubs in each region, and we have gone further. Eight AOD and mental health hubs are in place around the state, with another four in the pipeline. We have invested \$700 million to support, retain and grow this important workforce, and our workforce has grown since the royal commission by 33 per cent. We have delivered three children's locals. We are delivering a youth prevention and recovery centre in every region and undertaking foundational reforms, including age streaming and improving Headspace integration.

Work is underway on 95 per cent of the royal commission's recommendations. This work is supported by the mental health and wellbeing levy, which since it was introduced has helped drive a significant increase in investment in Victoria's mental health system, and it will continue to supplement existing government funding. We know that the Liberals voted against the levy, and their so-called audit of the levy is all about cuts.

Peter MacCallum Cancer Centre

Georgie CROZIER (Southern Metropolitan) (12:27): (1425) My question is to the Minister for Health. Minister, it has been reported that last month cancer services, including critical operations and chemotherapy, were cut at Peter MacCallum Cancer Centre as a result of industrial action. A hundred chemotherapy patients were affected, so I ask: how many cancer patients had their surgery cancelled?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:28): Thank you for your question, Ms Crozier. It is important to place on the record that Labor will always support the rights of working people to collectively bargain, and with that right comes a number of important protections. We know that it is nurses, midwives, our doctors, our allied health workers, our pharmacists, psychologists, medical scientists, cooks, cleaners and a whole range of incredible people that help keep our hospital system and our health services going. They deserve to have their work valued. I am very hopeful that negotiations for renewed enterprise bargaining agreements across a range of different health workforces will continue to work towards a fair deal that acknowledges their contribution to the health system.

I am advised that, in terms of the impact of protected industrial action on various parts of the health system, it is very important that patient safety is always the priority in the health system. My expectation, and it will always remain my expectation, is that any protected industrial action is undertaken in a way that protects patient safety.

Georgie Crozier: On a point of order, President, I have been listening to the minister's response, and I would ask you to draw her back to the question I asked, which was very simple: how many cancer patients had their surgery cancelled?

The PRESIDENT: I believe the minister was being relevant. I am just concerned about whether she has that level of detail at hand.

Members interjecting.

The PRESIDENT: I will finish what I was going to say. I will call the minister to the question.

Georgie Crozier: Further to the point of order, President, it has been acknowledged that there were 100 chemotherapy patients that were affected. The numbers are out there, and I would ask you to ask the minister to come back and answer this very important question.

The PRESIDENT: As I said, I am not in a position to be aware of any figures myself. I was just wondering if the minister had that level of detail. I was just pondering that. But as I said, I will call the minister.

Ingrid STITT: I was about to make the point that of course patient safety and the minimisation of disruption are incredibly important. I want to acknowledge the work of our health services and local union and worker representatives, who I am advised have been actively engaging to minimise the impacts to patients and uphold patient safety on the ground, and I thank them for that. Of course health services continue to deliver record numbers of surgeries in the system. The advice that I have in regard to industrial action is that, as I have indicated, there has already been work done closely with worker representatives to protect patient safety and to minimise impacts on patients, which is the right outcome, and I am advised that all category 1 surgeries were delivered within the recommended time.

Georgie CROZIER (Southern Metropolitan) (12:31): I note that the minister did not answer my question. I was not talking specifically about category 1. Minister, your government is at war with doctors, who are taking industrial action, medical scientists and others that you referenced in your answer to my substantive as well as those that work in cancer laboratories, pharmacists and other critical healthcare professionals who care for vulnerable patients. These cuts to vital services are putting even more pressure on our struggling health system. Minister, what advice have you received as to the impact that this ongoing industrial action is having on patients who need vital and life-saving surgery?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:32): I am certainly not going to take any advice from you, Ms Crozier, given your dubious industrial relations track record. What I can say is that since coming into this portfolio I have been very focused on making sure that these negotiations continue in good faith, and not just continue but actually result in an outcome that everybody feels is appropriate. I have been engaging closely with my department and also with representatives of various workforces that are currently bargaining. I have had the opportunity to discuss these agreements –

Georgie Crozier: Name them.

Ingrid STITT: Well, I had a good conversation with the AMA president about the doctors' EBA. I am sitting down with him on Monday, and I am looking forward to that. I am looking forward to that because I actually want to focus on resolving the dispute, not playing politics with Victorians' safety.

Georgie CROZIER (Southern Metropolitan) (12:33): I move:

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

Motion agreed to.

Cannabis law reform

Rachel PAYNE (South-Eastern Metropolitan) (12:33): (1426) My question is for the Minister for Mental Health, Minister Stitt, acknowledging that she has been on her feet all day. In October 2025 you tabled a response to the inquiry into the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023. Recommendation 1 of that report recommends that the Victorian government:

draw on the experience of the ACT, in successfully decriminalising the cultivation and possession of small quantities of cannabis for personal use with its associated health, social and legal benefits ...

At the time of the response the government did not support this recommendation. However, recently the new Premier Ben Carroll said in the *Guardian* that he was open to decriminalising cannabis, recognising the harms caused to First Nations people, young people and lower income Victorians. Can the minister please advise if the government is reconsidering the response to this inquiry, including considering accepting recommendation 1 of the report?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:34): Thank you for your question, Ms Payne, and also your ongoing engagement around these issues. We have had many conversations over this term of the Parliament on these matters, and of course it will come as no shock to you that we do take these complex matters seriously. We want to always look at ways that we can take a harm minimisation approach when it comes to our government's policies around alcohol and drug use in our state. Our government acknowledges the experience of the ACT in decriminalising the cultivation and the possession of small quantities of cannabis for personal use, and those matters were detailed quite extensively in the committee's report. I thank you, from Legalise Cannabis, and other members of that committee for that important work, but our government have no plans to decriminalise use and possession at this time.

Rachel PAYNE (South-Eastern Metropolitan) (12:35): I thank the minister for her response. By way of supplementary, the Parliamentary Budget Office costed the time spent policing personal possession of cannabis in 2024–25 – that is, an individual who is found to have less than 50 grams of cannabis on person – at 56,800 hours, which is equivalent to 27 full-time employed police officers working 40 hours per week. We have also seen this week the government announce a commitment to more Victorian police and PSOs to manage the crime wave in Victoria. Considering that 80 per cent of the Victorian population feel that the personal possession of cannabis should not be considered a criminal offence and police time and resources could be better utilised on serious and violent crime, will the minister commit to working with the Minister for Police to remove criminal penalties for personal use of cannabis so that police can get on with their jobs focusing on serious crime?

The PRESIDENT: I think that might be more relevant for the Minister for Police, but the minister will answer as she sees fit.

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:36): I thank Ms Payne for her supplementary question, and I will point you to the response the government made in respect to Legalise Cannabis's inquiry into the bill. We obviously have already undertaken, in the government response, to continue to consider options to improve drug diversion programs in relation to low-level drug use and possession, and that remains our position.

Ministers statements: economic policy

Enver ERDOGAN (Northern Metropolitan – Minister for Finance, Minister for Casino, Gaming and Liquor Regulation, Minister for Government Services) (12:37): Today I rise to inform the house about the results of the NAB monthly business survey and the Carroll Labor government's commitment to backing in business. Released earlier this week, the NAB monthly business survey shows Victorian business conditions rose 13 points in July and nine points over the year. Victoria now

ranks second amongst the states in business conditions, which is a testament to our economic resilience and new direction under our new Premier. This confidence has been backed by real investment. Victorian business investment grew 14.7 per cent over the year to March, which is the strongest of any mainland state. In fact since 2014 business investment has grown 59 per cent, which is the strongest growth of any state in the nation. And that investment translates to real jobs. Since coming to office we have created over 800,000 new jobs, and that has not happened by luck; it has happened through investment and considered government policy. Our Business Acceleration Fund has delivered more than \$250 million in annual benefits by cutting red tape and speeding up approvals. We are also streamlining permits, automating processes and cutting waiting times across the board. Removing the requirement for hospitality businesses, for example, to require a separate planning permit to serve alcohol has already benefited more than 1 100 businesses – real regulatory reform. We are also halving business regulators from 37 to 18 by 2030, starting with the consolidated Building and Plumbing Commission and Safe Food Victoria. Only Labor backs Victorian businesses with the investment support and regulatory reform needed to help grow our economy.

Health system

Georgie CROZIER (Southern Metropolitan) (12:39): (1427) My question is to the Minister for Health. Minister, regional Victorians are waiting longer to be seen in emergency departments, with stays of 24 hours or longer increasing. In July a man presented to Ballarat Base Hospital by ambulance. He was clearly unwell and required oxygen. He was left seated in the ED waiting room, where he had a cardiac arrest and tragically died in another hospital. Doctors are saying the unsustainable levels of pressure on staff are the new normal, and it is affecting patient safety and highlights the catastrophic issues facing regional hospitals. How did the government allow the system to deteriorate to such an extent that conditions are now described by doctors as being dysfunctional and dangerous?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:40): I thank Ms Crozier for her question. I want to, at the outset, just offer my deepest condolences to that particular person's loved ones. I am not in a position to be able to comment further on that incident, given that there are established processes that need to be undertaken in these circumstances. But my deepest condolences go to that particular individual's family and loved ones. It must be a very difficult time.

As I have indicated in the house already this week, our government will continue to support our frontline health workers, including in our busy emergency departments. Like many other jurisdictions across the country, we know that our emergency departments have never seen demand and numbers of presentations like this ever before. That is why our government is continuing to invest, for example, in a number of regional hospitals, upgrading the facilities and building new emergency departments, including at the Ballarat Base Hospital. In addition to that, we are also investing in important initiatives that help –

Members interjecting.

The PRESIDENT: Order! It is too noisy. Ms Crozier, please.

Ingrid STITT: We are making important investments in alternative care pathways so that emergency departments can be for life-threatening emergencies, as is appropriate. We have a virtual emergency department, which is seeing significant numbers of Victorians and taking the burden off our frontline hospitals and EDs. Of course we have also got other important services, such as Nurse-on-Call, and we are looking at the program of urgent care centres that we have rolled out across both metropolitan and regional Victoria to take pressure off our busy emergency departments. We will continue to invest – over \$32 billion in this year's budget alone – to back our frontline workers in the incredibly challenging work they do each and every day. I want to thank them. I will continue to listen to the workforce and our emergency department professionals, because there is always more that we can be doing to support patients and the flow through our busy hospital system.

Georgie CROZIER (Southern Metropolitan) (12:43): What an extraordinary answer. ‘Dysfunctional and dangerous’ – that is what the frontline workers are saying. Minister, you have failed to release the latest VAHI data for the second quarter of this year, but the first quarter showed that of the 3300 patients who stayed in an ED for at least 24 hours, 70 per cent were in regional and rural Victoria. The length of extended stays has been increasing for years. Why are Victorians being put at risk and, sadly, even dying whilst waiting for care?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:43): There are a number of assertions contained in that supplementary question, including assertions around the government providing information and being transparent about the performance of our health services, something that I note never once came out of anyone opposite when they were in government. I have already addressed these issues in the chamber this week around some of the reasons why there are long stays in our emergency departments. It includes things like more complexity and acuity of people presenting, particularly older people and people waiting for aged-care beds and NDIS packages, which is what we are doing – working closely with the Commonwealth and other jurisdictions around getting bed block out of our emergency departments and bed flow through for the people who need it most. We will continue to focus on that work, not on the cheap political shots.

Georgie CROZIER (Southern Metropolitan) (12:44): I move:

That the minister’s responses be taken into consideration on the next day of meeting.

Motion agreed to.

Government procurement

Bev McARTHUR (Western Victoria) (12:45): (1428) My question is to the Minister for Government Services. Minister, it was revealed this week that \$1.6 million was spent on pot plant contracts, which included watering and pruning. Yesterday it was revealed that almost \$600,000 was spent on a coffee machine deal, which includes machine hire and the procurement of beans, for one single government agency. Minister, you are responsible for the procurement settings that allowed this to happen. Will you be investigating what went wrong, yes or no?

Members interjecting.

The PRESIDENT: Order! I cannot hear the minister.

Enver ERDOGAN (Northern Metropolitan – Minister for Finance, Minister for Casino, Gaming and Liquor Regulation, Minister for Government Services) (12:46): If I could be heard in silence, please. Mrs McArthur, I do reject the premise of that question. I think there are a number of falsehoods there. But before addressing that, I will just restate what I stated yesterday: as the minister responsible for government services we do set a framework for procurement, and the paramount duty is to get value for taxpayers. The incident that you referred to relates to WorkSafe, and I have seen many in the opposition talk about it being too much – that workers should not be even offered a coffee or a tea in their workplace. That seemed to be what I was hearing and seeing on a lot of the socials that I watched from those opposite, which is quite disappointing. But nonetheless what I will say is that WorkSafe is an independent authority. I am expecting them with all their procurement to extract the best value for taxpayers. I understand that the responsible minister in the other place has already said that he has asked his department to review this expenditure to ensure it meets the high standards we expect.

Bev McARTHUR (Western Victoria) (12:47): I am sure the taxpayers of Victoria will be very pleased to hear about your waste of money. You have heard it from the Premier, saying he treats public money with respect, responsibility and care. You said similar things yesterday in question time. But these examples of gross neglect of the public purse keep happening time and time again. What you say is meaningless, because nothing seems to change. Minister, the public have a right to know what

went wrong and what steps you are taking to fix it. How are you going to fix this disaster that your own colleagues have created?

The PRESIDENT: I am not too sure, with the substantive answer, how that could be a supplementary, given the minister completely rejected the premise. But, Minister, over to you.

Ingrid Stitt interjected.

Enver ERDOGAN (Northern Metropolitan – Minister for Finance, Minister for Casino, Gaming and Liquor Regulation, Minister for Government Services) (12:48): I think it was asked and answered, Minister Stitt; I will take that interjection. But what I will say is we do have strong frameworks in place. It is about value for taxpayer dollars. Each agency is responsible for their expenditure. But the fact that those opposite want to target coffee and tearooms in workplaces tells me their attitude and the way Victorian workers will be treated under an LNP–One Nation coalition.

Written responses

The PRESIDENT (12:48): I thank Minister Symes: in line with the standing orders she will get responses for Ms Gray-Barberio.

Questions on notice

Answers

Rikkie-Lee TYRRELL (Northern Victoria) (12:49): I have some unanswered questions: questions 2323, 2221 and 2018.

Jaclyn Symes: Ms Tyrrell is going to hand me that note right now, and I am going to follow it up.

Constituency questions

Western Victoria Region

Jacinta ERMACORA (Western Victoria) (12:49): (2515) My constituency question is to the Minister for Carers and Volunteers Luba Grigorovitch. Minister, what support is our government providing to the neighbourhood houses sector so that they can keep delivering support and vital food relief to locals in need, in particular in the Western Victoria Region? Our neighbourhood houses and food pantries are stepping up in extraordinary ways to help people who never imagined they would need this support. I would like to acknowledge the work of Katrina Carrod and her team at Warrnambool Neighbourhood and Community Centre and also Jill Bourke and her team at the West Warrnambool Neighbourhood House. I am very heartened that we are backing these community champions to ensure that their food relief efforts remain strong in the future. I look forward to sharing the minister's response with them.

North-Eastern Metropolitan Region

Nick McGOWAN (North-Eastern Metropolitan) (12:50): (2516) My question is for the Minister for Environment, and it relates to the future of the very workers that the government and those across from us today have been waxing lyrical about. The workers – that is, the Parks Victoria rangers and staff – have now been in the trenches for more than a year trying to negotiate with this government a way forward in terms of their wages and conditions. Sadly, the minister who is now Minister for Environment – she was the Treasurer for the last year or thereabouts; we will not go into specifics there, because the ministers change –

Georgie Crozier interjected.

Nick McGOWAN: It is a revolving door, Ms Crozier; that is absolutely correct. These dedicated and relatively speaking poorly paid, when compared to many other professions, Parks Victoria rangers

and staff have been pleading with this government to conclude their EBA for over a year. I would ask the minister to turn her attention to that EBA urgently and solve it before the next election.

The PRESIDENT: There are rangers in the previous Healesville Freeway Reserve, aren't there, in your electorate?

Nick McGOWAN: Yes.

Southern Metropolitan Region

Katherine COPSEY (Southern Metropolitan) (12:51): (2517) My question is to the Minister for Education. The Caulfield Primary School community in my electorate has contacted me regarding the school's urgent infrastructure needs. The school has grown significantly over the last decade and now has more than 300 students, yet its facilities have not kept pace with that growth. The school community is particularly concerned about a hall that can no longer accommodate the whole school, meaning that assemblies, sporting activities and community events are often held outdoors or disrupted by poor weather. They have also raised concerns about ageing toilet facilities that are no longer fit for purpose, with inadequate capacity, deteriorating infrastructure and ongoing maintenance issues. Parents and staff are concerned that these longstanding infrastructure issues are affecting students' wellbeing, learning and ability to participate fully in school life. Minister, will the government provide funding to upgrade these facilities and ensure Caulfield Primary School has the infrastructure its students and community need?

Southern Metropolitan Region

Ryan BATCHELOR (Southern Metropolitan) (12:52): (2518) My question is to the Minister for Public Transport. How will the recently announced service upgrades to the Sandringham line benefit constituents in the Southern Metropolitan Region? From 23 August a new timetable will commence on the Sandringham line, with services running every 10 minutes between 6:30 am and 8:40 pm on weekdays and every 20 minutes from early morning until midnight on the weekend. That is 155 new train services every week, meaning locals from Sandringham, Hampton, Brighton, Elsternwick, Ripponlea, Windsor, Balaclava and Prahran will spend less time waiting for a train. Sandringham line trains will now also continue beyond Flinders Street to Southern Cross and North Melbourne stations. These extra services are only possible because of the extra capacity on the network created by the opening of the Metro Tunnel. Labor has delivered 3500 additional train services across Victoria's network thanks to the Metro Tunnel and will add another 400 on 23 August.

Southern Metropolitan Region

Georgie CROZIER (Southern Metropolitan) (12:53): (2519) My question is for the Minister for Children. I have been contacted by my constituent Alexane, who is very concerned about the proposed closure of Coventry Children's Centre in South Melbourne as part of the Building Blocks partnership program in the City of Port Phillip. Alexane's children attend Coventry Children's Centre, which is a council-run service that provides high-quality care for around 34 local children and their families. It has been proposed that the centre will cease operating during 2027 and 2028 to accommodate the relocation of two other services undergoing redevelopment. Other services being displaced by the program are being relocated intact, yet Coventry's children will be dispersed, and families have received no commitment that the centre will reopen. So I ask: will the minister explain what measures are being considered for an alternative solution that avoids displacing children and enables Coventry Children's Centre to remain operational?

Northern Metropolitan Region

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:54): (2520) My constituency question is for the Minister for Public Transport. Beveridge residents in Northern Metro Region have been calling for a train station for years. The Victorian Labor government approved 15,000 homes last year

and plans to build a further 180,000 homes in the next decade without jointly delivering the public transport infrastructure the community desperately needs. There is currently no train station, and there are only four daily bus services, with most bus services only running every 40 minutes. It is no wonder that only 1.2 per cent of residents in Beveridge use public transport. Infrastructure Victoria's 30-year infrastructure strategy also recommends that your government build a new station at Beveridge on the Seymour line. Minister, when will you answer the calls of Beveridge residents and implement Infrastructure Victoria's recommendation to build a train station in Beveridge?

Northern Metropolitan Region

Sheena WATT (Northern Metropolitan) (12:55): (2521) My constituency question today is for the Minister for Creative Industries. Our Labor government knows that live music is the absolute beating heart of our state. It brings our community together, boosts our local small businesses and gives emerging talent the platforms they need. This is exactly why we are so proud to back our vibrant local music scene with the recent announcement of round 3 of the Live Music Festivals Fund. This round is delivering more than \$600,000 to support 16 different festivals across the state, creating vital jobs for artists and crews while getting crowds back out in the community, including in my electorate, with Abbotsford's own Luliepalooza receiving this support. But we also know the industry is doing it tough and there are other local artists, venues and hardworking organisers looking for that little bit of extra help. So my question to the minister is: where can local creatives and music workers in Northern Metro get access to other supports from our government?

Western Victoria Region

Bev McARTHUR (Western Victoria) (12:56): (2522) My constituency question is for the Minister for Public Transport. Moorabool Street in Geelong's CBD should be a vibrant retail boulevard, yet the state-run bus interchange at Market Square remains plagued by antisocial behaviour, forcing nearby traders to pay out of pocket for private security just to protect shoppers. Mayor of Geelong Stretch Kontelj has rightly championed relocating this interchange to Geelong railway station as a key step forward to CBD revitalisation. Working hand in hand with local businesses and residents, the terrific Liberal candidate for Geelong Andy Pobjoy has been a tireless advocate on the ground, leading the charge to shift the bus station and restore safety to our city centre. With the Department of Transport and Planning currently reviewing regional bus routes, will the Allan Labor government – Carroll, I think it might be as well now – listen to mayor Stretch Kontelj, support Andy Pobjoy's campaign and commit to moving the Moorabool Street exchange?

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (12:58): (2523) My constituency question is for the Minister for Public Transport. In March I raised that community advocacy groups in the seat of Bundoora have come to me raising their concern about the inadequate disability access at Watsonia train station. In June the then minister provided a very lacklustre response, informing me that upgrade plans were being reviewed, but as we stand, nothing has changed and the station is simply uncompliant. In fact it is worse than that; it is actually dangerous for those with wheelchairs. Thankfully, the very hardworking Liberal candidate for Bundoora Chris Parr has been meeting with constituents and time and again pressing this issue and urging us to address it more. Will the minister guarantee a timely installation of fit-for-purpose upgrades to disability access at the Watsonia train station?

Eastern Victoria Region

Melina BATH (Eastern Victoria) (12:59): (2524) My question is to the Minister for Environment. East Gippsland is home to amazing waterways, landscapes and formations. Some of those formations form the Mitchell River silt jetties, and world-class they are. Rivermouth Road runs along those silt jetties, enabling tourists, anglers and locals to experience this beauty, and over time the road has been deteriorating and deteriorating. The first leg is managed by the shire. It is open and reasonable. The

second has deep ruts and potholes the size of small countries. My wonderful new candidate Gemma Rendell, the Nationals candidate for Gippsland East, has been out there talking to locals – she is a local girl – and they know how bad it is. She has been advocating, and I am advocating to the minister: do not cut services, do not cut boots on the ground in East Gippsland and fix the silt jetty roads.

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (13:00): (2525) My question is for the Premier. Why has Labor cancelled the opening of a kindergarten at Kialla West Primary School for the second year in a row, and when will construction finally begin and the kinder finally open? In 2024 the government announced a new kinder would be opened on the site of Kialla West Primary School in term 1 of 2026. That start date was cancelled just months before the kinder was due to open and parents were told the kinder would instead open in term 1 2027, but that opening date has also been cancelled. Both years those announcements have come after first-round offers, leaving parents scrambling to find a new kinder place for a second year in a row. Current Premier Ben Carroll was Minister for Education from 2023 until this month. During that time he had oversight of the Victorian School Building Authority when it failed to start construction of the promised kindergarten at Kialla West Primary School. If Premier Ben Carroll and this government cannot deliver a kindergarten on time, then Labor cannot be trusted to fix Victoria.

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (13:01): (2526) My question is to the Treasurer. A resident of California Gully contacted me about the financial burden of increased land tax on his family. He has a couple of daughters with disabilities. Across northern Victoria people in towns like Kangaroo Flat, Huntly, Maiden Gully and Marong are talking about the rising cost of living and the burden of increased taxes under this government. Victoria's debt will soon blow out to \$200 billion, leaving families paying more in taxes to service the debt this government has created, paying more than \$1 million an hour in interest. Over the last decade Labor has introduced nearly 70 new or increased taxes and charges, including land tax, payroll tax and the emergency services tax. The Liberals and Nationals have a clear 10-year economic plan to fix the budget and deliver cost-of-living relief, including lowering land tax and payroll tax and scrapping the emergency services tax. Treasurer, I request your assistance on behalf of my constituent and ask that you outline your plan to address Victoria's skyrocketing debt and taxes and provide families and businesses with much-needed cost-of-living relief.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (13:02): (2527) My constituency question is to Labor's latest Minister for Roads and Road Safety, and it is on my favourite topic of Donnybrook Road. I ask the Minister for Roads and Road Safety what action the Andrews–Allan–Carroll Labor government will take to finally duplicate Donnybrook Road for good, given that 35,000 vehicles now use a road designed for approximately 20,000 vehicles, causing severe congestion delays for residents of Donnybrook, Kalkallo, Mickleham and surrounding communities. Residents report waiting more than 40 minutes just to exit their housing estate, which impacts on their families and daily lives. But not all is lost. The Liberals and Nationals have committed \$524 million to duplicating Donnybrook Road for good from Epping Road in Woodstock to Dwyer Street in Kalkallo, and only Amanda Dow, the Liberal candidate for Yan Yean, will deliver it. Will the minister match the Liberals' fantastic commitment?

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:03): (2528) My question is to the Minister for Health. Melbourne's south-east is one of the fastest growing regions in the country, but it does not have a community live-in hospice. I recently visited Palliative Care South East, alongside Shadow Minister for Health Georgie Crozier, which is proposing a 15-bed community hospice to

ensure compassionate, high-quality care remains accessible for those who need it most. The south-east catchment is growing toward 1 million people within a decade, but it currently has just 21 hospital-based palliative care beds, against a benchmark requirement of 57. The unmet need is growing faster than the population, and 63 Victorians are dying each day without the palliative care they need. Minister, when are you going to invest funding to establish a live-in community hospice in the south-east to reduce the pressure on hospitals?

Sitting suspended 1:04 pm until 2:01 pm.

Bills

Consumer Legislation Amendment Bill 2026

Committee

Resumed.

Clause 1 further considered (14:01)

Melina BATH: I move:

1. Clause 1, page 5, lines 10 to 15, omit all words and expressions on these lines.

This amendment from my colleague Ms Jade Benham looks, very importantly, at the Motor Car Traders Claims Committee, and indeed this is about ultimately repealing what the government seeks to insert. It removes the bill's stated purpose of abolishing the Motor Car Traders Claims Committee. It retains that committee. It removes the provisions of transferring the claim determination to the director of Consumer Affairs Victoria (CAV) and other associated changes. It removes the division heading associated with abolishing the committee. What we want to achieve with this is we want to retain – and it is not *we per se*; it is after consultation fairly broadly by my shadow minister – the independent Motor Car Traders Claims Committee and reject the bill's proposal to transfer the guaranteed fund claims decisions to consumer affairs. We want to preserve specialist independent decision-making for those consumer claims.

Ingrid STITT: The government does not support the proposed amendment to omit division 1, part 12. Abolishing the committee will not detrimentally impact the outcomes for consumers or traders from the claims process. The director of CAV is bound by legislative obligations, including under the Public Administration Act 2004, which requires the director to uphold high standards and public sector values like integrity and impartiality. The director must also submit an annual report to the minister each year, which is tabled in Parliament and includes information on the number of admitted claims and the total amount that was paid out that year. Like the committee, the director will have responsibilities and access to support and expert advice on discharging functions in relation to the claims process. This can include advice and information on claims from any person or body or source as it thinks fit. This will ensure the director can seek expert advice, including from industry, to assist in determining claims.

Aiv PUGLIELLI: Acknowledging what I think is good intent in the preparation of this amendment and the approach with which it has been brought forward, I think from the Greens' perspective this will just come down to a difference of opinion in ways forward with respect to this committee. While I am loath generally to support a number of things that have come out of the Silver review, there is a role for centralisation in some parts of government and the way the departments work, and in this particular instance we are not opposed to the change brought forward by the government.

The DEPUTY PRESIDENT: The question is that Ms Bath's amendment 1 on her sheet MB38C, which tests all the other amendments on that sheet, be agreed to.

Council divided on amendment:

Ayes (11): Melina Bath, Gaelle Broad, David Davis, Ann-Marie Hermans, Wendy Lovell, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (19): Ryan Batchelor, John Berger, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Gayle Tierney, Sheena Watt

Amendment negatived.

Melina BATH: I move:

1. Clause 1, page 4, lines 25 to 28, omit all words and expressions on those lines.

The rationale behind this is this removes the bill's changes to the section 27 deposit releases and retains the current statutory protections in the Sale of Land Act 1962. These amendments preserve that longstanding section 27 deposit release framework, where purchasers currently benefit from statutory safeguards before the deposit can be released to a vendor. We believe that those protections should remain in the legislation rather than being replaced by contractual arrangements that may provide less certainty and consistency for consumers. We certainly want to ensure that there are those safeguards there.

Ingrid STITT: The government does not support the proposed amendment to retain section 27 of the Sale of Land Act, even in modernised form. The bill provides that vendors and purchasers are free to agree to a condition in the contract that facilitates the early release of the deposit. This is not a new concept. It is based on the New South Wales model, and it ensures that early release of a deposit is not simply taken as of right. The bill also removes the incentive for estate agents to apply undue pressure on vendors and purchasers to agree to release the deposit early by prohibiting estate agents from retaining their commission from the deposit prior to settlement. The government's house amendment will also address stakeholder concerns by clarifying that agents may still be paid their commission prior to settlement if the vendor agrees to pay it. In addition, to ensure the industry has sufficient time to adjust to the new requirements, the house amendment provides for amendments relating to the early release of deposits to commence from 1 July 2027, a month later than currently provided for in the bill.

Aiv PUGLIELLI: Further to the comments made already by the minister, the Greens are supportive of the replacement that is being undertaken by government in the bill, and so we are not in a position to support the opposition's amendment.

The DEPUTY PRESIDENT: The question is that Ms Bath's amendment 1 on her sheet MB45C, which tests all the remaining amendments on that sheet, be agreed to.

Council divided on amendment:

Ayes (11): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Ann-Marie Hermans, Wendy Lovell, Bev McArthur, Joe McCracken, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (18): Ryan Batchelor, John Berger, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Gayle Tierney, Sheena Watt

Amendment negatived.

The DEPUTY PRESIDENT: Minister Stitt, I invite you to move your amendment 1 on your sheet IS40C, which tests amendments 9, 21 to 24 and 32.

Ingrid STITT: I move:

1. Clause 1, page 4, after line 28 insert –
“(iv) to make technical amendments in relation to off-the-plan contracts; and”.

This is a minor amendment being made to the Sale of Land Act 1962 to clarify the scope of rescission rights available to a purchaser under an off-the-plan contract for a lot in a residential apartment building, which are available in specified circumstances.

Aiv PUGLIELLI: The Greens will be supporting this amendment.

Amendment agreed to.

Ingrid STITT: I move:

2. Clause 1, page 6, after line 3 insert –
“(kaa) to amend the **Building Act 1993** in relation to developer bonds; and”.
3. Clause 1, before line 4 insert –
“(kab) to amend the **Building Act 1993** in relation to prefabrication work and prefabrication builders and to make consequential amendments to the **Building and Plumbing Administration and Enforcement Act 2026**; and”.
4. Clause 1, before line 4 insert –
“(kac) to amend the **Building Act 1993** in relation to complex plumbing work and to make consequential amendments to the **Building and Plumbing Administration and Enforcement Act 2026**; and”.
5. Clause 1, before line 4 insert –
“(kad) to amend the **Building Act 1993** and the **Building and Plumbing Administration and Enforcement Act 2026** in relation to minor matters; and”.
6. Clause 1, page 6, line 7, omit “1989.” and insert “1989; and”.
7. Clause 1, page 6, after line 7 insert –
“(la) to amend the **Domestic Building Contracts Amendment Act 2025** to delay its forced commencement date.”.

Amendments agreed to; amended clause agreed to.

Clause 2 (14:20)

Ingrid STITT: I move:

8. Clause 2, line 11, omit “Parts 8, 10 and 11” and insert “Part 8, Part 10 and Part 11”.
9. Clause 2, line 11, after “Part 8,” insert “Division 2 of Part 9,”.
10. Clause 2, line 11, before “come into operation” insert “and Division 3 of Part 12A”.
11. Clause 2, line 11, before “come into operation” insert “and Division 4 of Part 12A”.
12. Clause 2, line 11, before “come into operation” insert “and Division 5 of Part 12A (other than sections 178ZF and 178ZJ)”.
13. Clause 2, line 11, before “come into operation” insert “and Part 12B”.
14. Clause 2, line 25, after “Part 12” insert “and sections 178ZF and 178ZJ”.
15. Clause 2, line 25, after “Part 12” insert “and Division 2 of Part 12A”.
16. Clause 2, line 25, after “Part 12” insert “and Division 1 of Part 12A”.
17. Clause 2, line 28, omit “and Part 12” and insert “, Part 12”.
18. Clause 2, line 28, before “does not come” insert “or Division 1 of Part 12A”.
19. Clause 2, line 28, before “does not come” insert “or Division 2 of Part 12A”.
20. Clause 2, line 28, before “does not come” insert “or section 178ZF or section 178ZJ”.

Amendments agreed to.

Ingrid STITT: I move:

1. Clause 2, line 16, omit “(5)” and insert “(5), (5A)”.
2. Clause 2, line 24, omit “7” and insert “7, sections 106, 107 and 108”.
3. Clause 2, after line 26 insert –

“(5A) If sections 106, 107 and 108 do not come into operation before 1 July 2027, those sections come into operation on that day.”.

This amendment is to provide industry with more time to implement these reforms, and the default commencement date for the early release of deposit moneys has been pushed back one month to 1 July 2027.

Amendments agreed to; amended clause agreed to; clauses 3 to 21 agreed to.

Clause 22 (14:23)

Melina BATH: I move:

1. Clause 22, page 27, lines 5 to 8, omit all words and expressions on those lines.

I did go into this in quite some detail during my second-reading speech. These amendments as a whole remove the mandatory reserve price publication framework and associated reporting requirements. While we certainly support, without a doubt, transparency measures against underquoting, we are concerned that these provisions are overly prescriptive, risk unintended consequences, reduce vendor flexibility during auction campaigns and may disclose the use of auctions without delivering a clear consumer benefit.

Ingrid STITT: The government will not be supporting this amendment.

Aiv PUGLIELLI: The Greens take a different view to the opposition with respect to this matter, so we will not be supporting it.

The DEPUTY PRESIDENT: The question is that amendment 1 on Ms Bath’s sheet 41C, which tests all the remaining amendments on this sheet, be agreed to.

Council divided on amendment:

Ayes (11): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Ann-Marie Hermans, Wendy Lovell, Bev McArthur, Joe McCracken, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (18): Ryan Batchelor, John Berger, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Gayle Tierney, Sheena Watt

Amendment negatived.

Clause 22 agreed to; clauses 23 to 31 agreed to.

Clause 32 (14:30)

Aiv PUGLIELLI: I move:

2. Clause 32, after line 11 insert –

‘(1A) For section 18(2) of the **Owners Corporations Act 2006** substitute –

“(2) If a matter may be resolved by an order of a court or tribunal for payment of an amount or relief that is no more than twice the total amount of the current annual fees set by an owners corporation under section 23, and the owners corporation is authorised to do so by ordinary resolution, the owners corporation may commence any proceeding in a court or tribunal that has jurisdiction to make an order of that nature.”.’.
3. Clause 32, line 19, omit “any of the following courts or” and insert ‘a court or tribunal that has jurisdiction to make an order of that nature.’.

4. Clause 32, lines 20 to 30, omit all words and expressions on these lines.

This amendment is with respect to legal proceedings for monetary matters. With respect to owners corporations, the amendment will lower the threshold for owners corporations to commence legal proceedings of a monetary nature up to a limit of twice the annual budget of the owners corporation. This sets a proportionate limit and allows the proceedings to be commenced at any court or tribunal by an ordinary resolution with a simple majority rather than a special resolution with 75 per cent support.

Ingrid STITT: The government will not be supporting this amendment. The amendments already proposed in the Consumer Legislation Amendment Bill 2026 clarify that an owners corporation may bring a non-monetary claim in VCAT or the Magistrates' Court with the approval of an ordinary resolution by the owners corporation of at least 50 per cent of the lot owners in support, not a special resolution. This will give owners corporations certainty that they can enforce rules and resolve procedural matters as intended.

David DAVIS: I understand the amendment being moved by Mr Puglielli, and we will support that on this occasion. It does have significant merit. Minister, I just want to ask you a little about this issue. You read out some notes there indicating the ability to recover in any court. You listed a number of courts, and I certainly welcome them being relisted. But there have been a number of cases which have created some difficulty for owners corporations, specifically *Nguyen & Ors* at the Magistrates' Court, 8 July 2025, in which the Magistrates' Court decided not to take on a case and to send it back to VCAT. This has had the unfortunate effect – and there is another case of a similar nature, *Owners Corporation v Buckley* [2024] – of resulting in the Magistrates' Court sending a case back to VCAT.

I think Mr Puglielli's amendment goes a certain way to helping with that, but it does not fully clear up this issue. I understand it might be the government's intent. It is certainly what I think most people in this house would want, that an owners corporation could get swift access to decision-making. This is actually in the interests, I think, of all parties; it is not in the interests of any party to have cases drift on. Without getting into a political thing about the delays in courts, there are some significant delays, and that is difficult for all parties to a particular dispute. You may be able to confirm that it is your understanding or the government's understanding and intent that an owners corporation can bring those cases in the Magistrates' Court in particular, or indeed elsewhere, and indicate whether in your view there is need for greater clarity on that.

Ingrid STITT: I will add to what I have already said in respect to Mr Puglielli's amendment. The bill does not propose any changes to resolutions required for monetary claims. The existing section 18(2) will continue to apply. This provision allows an owners corporation to commence legal proceedings for a monetary matter that is below the civil jurisdictional limit of the Magistrates' Court – currently \$100,000 – in VCAT or any other tribunal or a corresponding court in another state or territory. It is important to note that higher legal costs are associated with higher courts, and it is not appropriate to authorise legal proceedings in the County Court or the Supreme Court with an ordinary resolution due to the high associated legal costs, even for a small claim, and the risks of costs being awarded if the case is not successful. It is appropriate that an owners corporation requires significant lot owner support by special resolution before commencing any legal proceeding in these courts.

David DAVIS: In summary, the County Court and Supreme Court are not easily open, is what you are saying, but the Magistrates' Court is, and that does provide an opportunity to resolve these disputes sometimes more expeditiously than VCAT, just because of delays.

Ingrid STITT: I do not think that I am in a position to comment on the courts' timeframes of dealing with their court lists, but I have just indicated the government's view around why we are not supportive of Mr Puglielli's amendment and outlined for you the reasons why we believe that the current limits are appropriate. Also, for more complex claims we think it is appropriate that there be a 75 per cent occupier approval requirement.

Aiv PUGLIELLI: I would like to thank the opposition for their support with respect to this amendment and their constructive approach. As David Davis has spoken to, there are a number of people for whom this has come up as an issue. We have engaged with people involved in owners corporation committees from across Melbourne, including Box Hill in my electorate – these larger estate-type owners corporations who have run into these issues, who have sought to raise monetary matters through legal proceedings, and they have faced barriers in doing so. So we are seeking to address that via this amendment. We, again, thank the chamber for their support.

David DAVIS: I thank Mr Puglielli for his points there. It is worth noting that in the materials circulated to many members by the Strata Community Association they state their position on page 3:

The Bill should expressly confirm that an owners corporation may recover money owed by a lot owner through VCAT, the Magistrates' Court or any other court or tribunal of competent jurisdiction. The payment plan and hardship protections in the Act should apply regardless of the forum used.

We certainly do take that view that there should be opportunities, and in fact what has occurred here repeatedly is delays. I will just quote a little bit further from that paper:

Owners corporations may face lengthy delays before obtaining a hearing, during which unpaid fees and charges continue to affect cash flow and the owners corporation's ability to fund insurance, maintenance, repairs and essential services. The financial burden is then carried by the lot owners who continue to pay their fees on time ...

and so forth. We think this is an area that may require further exploration and further clarification into the future. We accept that it is one step – with Mr Puglielli – and I accept, Minister, that you indicated to the chamber that the Magistrates' Court is available. But I think it may be that further clarification is required through amendment at a later point.

Council divided on amendments:

Ayes (17): Melina Bath, Gaele Broad, Katherine Copsey, Georgie Crozier, David Davis, Anasina Gray-Barberio, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Sarah Mansfield, Bev McArthur, Joe McCracken, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Richard Welch

Noes (13): Ryan Batchelor, John Berger, Enver Erdogan, Jacinta Ermacora, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt

Amendments agreed to.

Amended clause agreed to; clauses 33 to 39 agreed to.

Clause 40 (14:46)

Melina BATH: I move:

1. Clause 40, line 9, after "charge" insert "due and".
2. Clause 40, line 11, after "charge" insert "due and".
3. Clause 40, after line 28 insert –
 - “(1A) Before deciding to accept or refuse a request under subsection (1), the specified owners corporation must take into account the following –
 - (a) any hardship experienced by the lot owner;
 - (b) the lot owner's capacity to pay the fees and charges the subject of the request;
 - (c) any other arrangements the lot owner may make to repay the fees and charges;
 - (d) the costs of insurance, safety, utilities expenses and solvency requirements of the specified owners corporation.”.

4. Clause 40, page 53, after line 11 insert –

“32FA Contents of payment plan

A payment plan must set out the following details –

- (a) the total amount of fees or charges the subject of the payment plan;
- (b) the amount of any instalments for repayment of the fees or charges;
- (c) any interest payable on the fees or charges;
- (d) the consequences of complying with the payment plan, including a lot owner’s entitlement to vote and the effect of section 32HA;
- (e) the consequences of failing to comply with the terms of the payment plan.”.

5. Clause 40, page 53, line 13, before “A specified” insert “(1)”.

6. Clause 40, page 53, after line 16 insert –

“(2) In addition, an owners corporation may vary the terms of a payment plan for urgent repayment of the fees and charges subject to the payment plan in emergency circumstances, without the written agreement of the lot owner who is subject to the payment plan.

(3) An owners corporation must give written notice of a variation under subsection (2) to the lot owner who is subject to the payment plan within 28 days after the variation.”.

7. Clause 40, page 53, after line 28 insert –

“32HA Owners corporation committee may review payment plans

An owners corporation committee of a specified owners corporation may review a payment plan entered into by the specified owners corporation at a meeting of the committee.

32HB Owners corporation must not recover debt if lot owner complying with terms of payment plan

If a specified owners corporation has entered a payment plan with a lot owner and the lot owner is complying with the terms of the payment plan, the specified owners corporation must not recover any amount owed under the payment plan including by employing or contracting a person who provides debt collection services.”.

These amendments make the new owners corporation payment plan a fairer scheme, a cleaner scheme and more balanced by requiring hardship to be considered, setting minimum payment plan contents, protecting owners who comply with payment plans and recognising the financial obligation of owners corporations.

Ingrid STITT: The government will not be supporting these amendments. They are not necessary. I went through in some detail during clause 1 the way in which the payment plan addresses a number of issues. I will not repeat myself, but the government will not be supporting this amendment.

Aiv PUGLIELLI: Earlier in the committee stage I raised a number of points around this area of progress into payment plans with respect to owners corporations. This particular amendment, however, while well intended, I do not think is the pathway that the Greens would seek to navigate to rectify these, so we will not be supporting it.

Amendments negatived; clause agreed to; clauses 41 to 43 agreed to.

New clause 43A (14:48)

Aiv PUGLIELLI: I move:

5. Insert the following New Clause to follow clause 43 –

‘43A Restriction on number of lot owners on behalf of whom a proxy may vote on a resolution

For section 89D(1) of the **Owners Corporations Act 2006** substitute –

“(1) A person must not vote as a proxy on a resolution at a meeting of the owners corporation on behalf of more than one lot owner.”.

Ingrid STITT: The government will be supporting Mr Puglielli’s amendment.

Melina BATH: So will the Liberals and Nationals.

New clause agreed to; clauses 44 to 60 agreed to.

Clause 61 (14:49)

Ingrid STITT: I move:

4. Clause 61, page 74, lines 3 and 4, omit all words and expressions on those lines.
5. Clause 61, page 74, line 12, omit all words and expressions on that line.

Amendments agreed to; amended clause agreed to.

Clause 62 (14:49)

Ingrid STITT: I move:

6. Clause 62, page 75, after line 15 insert –
“(5A) A rent increase in contravention of this section is invalid.”
7. Clause 62, page 75, line 16 omit “(6)” and insert “(6)”.

Amendments agreed to; amended clause agreed to.

Clause 63 (14:50)

Ingrid STITT: I move:

8. Clause 63, page 76, lines 8 to 12, omit all words and expressions on those lines.
9. Clause 63, page 76, after line 30 insert –
“(ab) state that the site owner intends to apply to the Tribunal at least 14 days after the day on which the notice is given for an order requiring payment of the special rent increase specified in the notice by the site tenants given the notice; and”.
10. Clause 63, page 77, lines 13 to 31, page 78, lines 1 to 32 and page 79, lines 1 to 22, omit all words and expressions on those lines.
11. Clause 63, page 79, lines 28 to 30, omit “notice if, within the proposal period, there is a circumstance specified in subsection (2).” and insert “notice.”
12. Clause 63, page 80, lines 1 to 15, omit all words and expressions on those lines and insert –
“(2) An application under subsection (1) must not be made until at least 14 days after the proposal notice is given to each site tenant proposed to be subject to the special rent increase in accordance with section 206SD.”
13. Clause 63, page 80, line 32, omit “(1)” and insert “(1)(a)”.
14. Clause 63, page 80, after line 34 insert –
“(2A) An order under subsection (1)(a) may be subject to one or more of the following conditions specified in the order –
(a) payment of the amount of special rent increase is for a period specified in the order;
(b) a site tenant is required to pay a reduced amount of rent specified in the order beginning on the day after the period of special rent increase.”
15. Clause 63, page 81, line 1, omit “(1)” and insert “(1)(a)”.
16. Clause 63, page 81, after line 24 insert –
“(ca) any reason for a reduced amount of rent to be payable by a site tenant after a period of special rent increase, including the completion of a repair or improvement to a facility or service available within the Part 4A park; and”.

Amendments agreed to; amended clause agreed to; clause 64 agreed to.

Clause 65 (14:50)**Ingrid STITT:** I move:

17. Clause 65, page 83, line 32, omit ‘corporate.’.’ and insert “corporate.”.
18. Clause 65, page 83, after line 32 insert –
 - ‘(3) A site owner must not require a site tenant to pay a deferred management charge that is more than the lesser of the following amounts –
 - (a) 20% of the purchase price paid by the site tenant for the Part 4A dwelling on the Part 4A site under the site agreement;
 - (b) a prescribed percentage (if any) of the purchase price paid by the site tenant for that Part 4A dwelling.

Penalty: 60 penalty units for a natural person;
300 penalty units for a body corporate.”.’.

Amendments agreed to; amended clause agreed to.**New clause 65A (14:51)****Ingrid STITT:** I move:

19. Insert the following New Clause to follow clause 65 –

‘65A Section 206ZV amended

 - (1) In the heading to section 206ZV of the **Residential Tenancies Act 1997**, after “clean” insert “, safe and in good repair”.
 - (2) In section 206ZV(1) of the **Residential Tenancies Act 1997**, for “clean and in a safe condition.” **substitute** –
“in a condition that meets each of the following standards –
 - (a) clean;
 - (b) safe;
 - (c) in good repair.”.’.

New clause agreed to; clauses 66 to 72 agreed to.**Clause 73 (14:52)****Ingrid STITT:** I move:

20. Clause 73, line 17, omit “206SB” and insert ‘206SB’;’.
21. Clause 73, line 18, omit –
‘78B Section 206SF’;’.
22. Clause 73, line 21, omit ‘206ZCA(2)’;’ and insert “206ZCA(2)”.
23. Clause 73, after line 21 insert –
‘85C Section 206ZCA(3)’;’.

Amendments agreed to; amended clause agreed to.**Clause 74 (14:52)****Ingrid STITT:** I move:

24. Clause 74, line 21, omit “206SE, 206SF, 206SG.”.

Amendment agreed to; amended clause agreed to; clauses 75 to 104 agreed to.

Clause 105 (14:53)**Ingrid STITT:** I move:

21. Clause 105, line 3, omit all words and expressions on this line and insert –

“Division 1 – Contracts for sale of land

105 Definitions”.

Amendment agreed to; amended clause agreed to; clause 106 agreed to.**Clause 107 (14:54)****Ingrid STITT:** I move:

25. Clause 107, line 20, omit “**commission**” and insert “**amounts from deposit**”.
26. Clause 107, line 22, before “If” insert “(1)”.
27. Clause 107, line 24, omit “under” and insert “in accordance with”.
28. Clause 107, line 31, omit ‘entitled.’.’ and insert “entitled.”.
29. Clause 107, after line 31 insert –
- ‘(2) Subsection (1) does not prevent an estate agent from receiving an amount of money from the vendor for any of the following before settlement or rescission of the contract –
- (a) the commission;
- (b) any auction expense or other amount to which the estate agent is or will become entitled.”.’.

Amendments agreed to; amended clause agreed to; clause 108 agreed to.**Clause 109 (14:55)****Ingrid STITT:** I move:

30. Clause 109, lines 19 to 24, omit all words and expressions on those lines and insert –
- ‘(a) if the land is publicly advertised for sale other than by auction or a fixed-date sale – the day that is 14 days after the land is first publicly advertised for sale; or
- (b) if the land is publicly advertised for sale by auction or a fixed-date sale – the day that is 14 days before the first auction date or first fixed date; or
- (c) if the land –
- (i) is not publicly advertised for sale – before the purchaser signs the contract for the sale of land; or
- (ii) is to be sold –
- (A) within 14 days after the land is first publicly advertised for sale – before the purchaser signs the contract for the sale of land; or
- (B) on a day that is more than 14 days before a first auction date or a first fixed date – before the purchaser signs the contract for the sale of land;”.’.

Aiv PUGLIELLI: This was an issue that both government and opposition were looking at throughout the procedure of getting this bill before us. The Greens are not supportive of it, in the interests of consumer certainty and them being prioritised. However, in the interests of time, we are not going to divide on this particular amendment.

Amendment agreed to; amended clause agreed to; clauses 110 to 112 agreed to.**Clause 113 (14:56)****Ingrid STITT:** I move:

22. Clause 113, line 7, after “amended by” insert “Division 1 of”.
23. Clause 113, line 19, after “on which” insert “Division 1 of”.

Amendments agreed to; amended clause agreed to.

New clause 113A (14:56)**Ingrid STITT:** I move:

24. Insert the following new Division to follow clause 113 –

‘Division 2 – Off-the-plan contracts and developer bonds**113A Rescission of off-the-plan contract – residential apartment buildings**

After section 9AEA(2) of the **Sale of Land Act 1962** insert –

- “(3) Subsection (1) does not apply to a purchaser if the developer of the residential apartment building is excepted from the requirement under section 137ZP(1) of the **Building Act 1993** to arrange for the issue or execution of a developer bond.”.

New clause agreed to; clause 114 agreed to.**Clause 115 (14:57)**

The DEPUTY PRESIDENT: Ms Bath, I invite you to move your amendments 1 and 2 on sheet 37C, which test your remaining amendments on that sheet.

Melina BATH: I move:

1. Clause 115, line 5, omit “In” and insert “(1) In”.
2. Clause 115, after line 27 insert –

“(2) In section 3 of the **Tobacco Act 1987**, in the definition of *reviewable decision*, after paragraph (l) insert –

“(m) issue a written notice under section 36V;

(n) issue a written notice under section 36W;”.

We canvassed this quite substantially, both in the second reading and also in questions. These amendments support strong actions against illicit tobacco but ensure landlords who act responsibly are protected and that closure powers are exercised with procedural fairness and review.

Ingrid STITT: I concur with Ms Bath that we went through these issues at length, and my thanks to Minister Erdogan for taking questions on these matters. The opposition amendments the government will not be supporting.

Aiv PUGLIELLI: Yes, we did look at these a fair bit during the committee stage on this bill. I appreciate the intent with which they have been brought. I think they come from a good place. The current wording, however, in the bill the Greens would deem sufficient for meeting the government’s intent with respect to these matters, so we will not be supporting this amendment.

Council divided on amendments:

Ayes (11): Melina Bath, Gaele Broad, Georgie Crozier, David Davis, Ann-Marie Hermans, Wendy Lovell, Bev McArthur, Joe McCracken, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (18): Ryan Batchelor, John Berger, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, Anasina Gray-Barberio, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Amendments negatived.**Clause agreed to; clauses 116 to 161 agreed to.**

Clause 162 (15:05)

Melina BATH: I move:

1. Clause 162, after line 28 insert –

“29EA Decision to review licence – specified Tribunal order

- (1) The Authority may review a licence after a specified Tribunal order is made in relation to the licensee.
- (2) In deciding whether to review a licence under subsection (1), the Authority must consider –
 - (a) the amount the licensee has been ordered to pay under the specified Tribunal order; and
 - (b) whether the licensee has made, or will make, prompt payment of the amount ordered to be paid under the specified Tribunal order; and
 - (c) the conduct of the licensee in relation to which the specified Tribunal order was made; and
 - (d) the reasons for the licensee’s conduct; and
 - (e) the risk posed to consumers by the licensee’s conduct; and
 - (f) whether the licensee has previously been subject to a specified Tribunal order.
- (3) Despite subsection (2), the Authority must review a licence under subsection (1) if –
 - (a) the conduct of the licensee in relation to which the specified Tribunal order was made was –
 - (i) fraudulent; or
 - (ii) dishonest; or
 - (iii) a deliberate contravention of this Act or any other law; or
 - (b) the licensee has been subject to 3 or more specified Tribunal orders within the preceding 5 years.
- (4) If the Authority intends to review under subsection (1), the Authority must give written notice of its intention to do so to the licensee as soon as practicable after deciding to review the licence.
- (5) A notice under subsection (4) must set out –
 - (a) the reasons for the Authority’s decision to review the licence; and
 - (b) the licensee’s right to seek review of the decision.”.

2. Clause 162, lines 31 to 33, omit all words and expressions on these lines.

During the second-reading debate I canvassed this on behalf of the shadow minister.

Ingrid STITT: The government does not support the proposed amendments. We have gone through this in a bit of detail during committee stage, so I agree time is of the essence.

Aiv PUGLIELLI: The Greens will not be supporting these amendments.

The DEPUTY PRESIDENT: The question is that Ms Bath’s amendments 1 and 2, which test all the remaining amendments on her sheet MB51C, be agreed to.

Amendments negatived; clause agreed to; clauses 163 to 178 agreed to.

New part heading 12A (15:06)

Ingrid STITT: I move:

25. Insert the following new Part heading to follow clause 178 –

“Part 12A – Amendment of Building Act 1993”.

New part heading agreed to.

New clauses 178A to 178P (15:07)

Ingrid STITT: I move:

26. Insert the following new Division before Part 13 –

‘Division 1 – Prefabrication work

178A Purposes

After section 1(e) of the **Building Act 1993** insert –

“(ea) to regulate prefabrication work; and”.

178B Definitions

- (1) In section 3(1) of the **Building Act 1993**, in the definition of *building practitioner* –
 - (a) in paragraph (f), after “builder” (where second occurring) **insert** “(other than a prefabrication builder)”;
 - (b) after paragraph (f) **insert** –

“(fa) a prefabrication builder; or”.
- (2) In section 3(4) of the **Building Act 1993**, for “building work or plumbing work” (where twice occurring) **substitute** “building work, plumbing work or prefabrication work”.

178C New section 3AA inserted

After section 3 of the **Building Act 1993** insert –

“3AA Use of prefabricated building systems

In this Act, unless the contrary intention appears –

- (a) a reference to the construction of a building includes a reference to the use of a prefabricated building system (within the meaning of Part 2A) in the construction of the building; and
- (b) a reference to a building product or a building material (however described) includes a reference to a prefabricated building system (within the meaning of Part 2A).”.

178D Building regulations

- (1) After section 7(1)(a) of the **Building Act 1993** **insert** –

“(ab) prefabrication work;”.
- (2) In section 7(2)(b) of the **Building Act 1993**, for “(b) or (c)” **substitute** “(ab), (b) or (c)”.

178E Accreditation of building products

After section 14(5) of the **Building Act 1993** **insert** –

“(6) Part 2A does not apply in respect of a building product accredited under this section.”.

178F Building surveyor must not refuse to approve building work on certain grounds

At the end of section 15 of the **Building Act 1993** **insert** –

“(2) Part 2A does not apply in respect of a building system, construction method, design, component or system of a kind referred to in this section.”.

178G New Part 2A inserted

After Part 2 of the **Building Act 1993** **insert** –

“Part 2A – Prefabrication work

15C Definitions

In this Part –

building component means a thing that –

- (a) when used in the construction of a building is, or forms part of, a building element; and
- (b) when used in the construction of a building cannot be inspected without –
 - (i) opening the component and causing damage to it in the process; or

Example

Cutting a wall lining to expose the wall frame.

- (ii) carrying out testing that is likely to destroy the component or part of the component;

building element, in relation to a building, means –

- (a) an internal or external load-bearing component that is essential to the stability of the building or a part of the building; or
- (b) the building enclosure, being any part of the building that separates its interior from the external environment; or
- (c) waterproofing; or
- (d) a fire safety system within the meaning of the National Construction Code; or
- (e) any aspect of the following required for compliance with the National Construction Code –
 - (i) mechanical services; or
 - (ii) plumbing services; or
 - (iii) electrical services; or
 - (iv) vertical transportation; or
- (f) a prescribed building element or a building element belonging to a prescribed class of building element;

module means a three-dimensional structure that, when used in the construction of a building, includes at least one building component;

prefabricated building system means –

- (a) a module; or
- (b) a building component;

prefabrication work means –

- (a) making or manufacturing (by use of any method) a prefabricated building system on land that is not the land on which the system will be used in the construction of a building; or
- (b) assembling 2 or more prefabricated building systems on land that is not the land on which the systems will be used in the construction of a building.

15D Offences relating to prefabrication work

- (1) A person must not make, manufacture or assemble a prescribed prefabricated building system or prefabricated building system belonging to a prescribed class of prefabricated building system for use in the construction of a building if that use will not comply with –
 - (a) this Act and the building regulations; and
 - (b) the plumbing laws; and
 - (c) any binding determination that applies to the prefabrication work; and
 - (d) the **Electricity Safety Act 1998**, the regulations made under that Act and any Order made under section 4 of that Act.

Penalty: 500 penalty units, in the case of a natural person;

2500 penalty units, in the case of a body corporate.

Note

Section 314 of the **Building and Plumbing Administration and Enforcement Act 2026** applies in respect of an offence against this subsection.

- (2) A person must not make or manufacture (by use of a prescribed method) a prefabricated building system for use in the construction of a building if that use will not comply with –
 - (a) this Act and the building regulations; and
 - (b) the plumbing laws; and

- (c) any binding determination that applies to the prefabrication work; and
- (d) the **Electricity Safety Act 1998**, the regulations made under that Act and any Order made under section 4 of that Act.

Penalty: 500 penalty units, in the case of a natural person;
2500 penalty units, in the case of a body corporate.

Note

Section 314 of the **Building and Plumbing Administration and Enforcement Act 2026** applies in respect of an offence against this subsection.

- (3) A person must not carry out prescribed prefabrication work or prefabrication work belonging to a prescribed class of prefabrication work –
 - (a) if electrical installation work within the meaning of the **Electricity Safety Act 1998** is carried out in conjunction with the prefabrication work – if the electrical installation work does not comply with the **Electricity Safety Act 1998**, the regulations made under that Act and any Order made under section 4 of that Act; and
 - (b) if plumbing work within the meaning of Part 12A is carried out in conjunction with the prefabrication work – if the plumbing work does not comply with Part 12A and the plumbing laws.

Penalty: 500 penalty units, in the case of a natural person;
2500 penalty units, in the case of a body corporate.

Note

Section 314 of the **Building and Plumbing Administration and Enforcement Act 2026** applies in respect of an offence against this subsection.

- (4) Subsections (1), (2) and (3) are civil penalty provisions for the purposes of Part 6.7 of the **Building and Plumbing Administration and Enforcement Act 2026**.
- (5) For the purposes of subsections (1) and (2), use of a prescribed prefabricated building system or a prefabricated building system in the construction of a building means use of the system in accordance with any instructions provided by the person who made, manufactured or assembled it.

Note

See also section 169D(1).

15E Offence relating to prefabricated building systems

- (1) A registered prefabrication builder must not supply a specified prefabricated building system, for use in the construction of a building, if the specified prefabricated building system is not accompanied by –
 - (a) written information about –
 - (i) the use for which the system is intended; and
 - (ii) any limitation on that use or condition to which that use is subject; and
 - (iii) any prescribed matters; and
 - (b) written certification from the registered prefabrication builder that, having regard to the matters referred to in paragraph (a), the system (when used in the construction of a building) complies with the building regulations; and
 - (c) if the specified prefabricated building system includes electrical work in respect of which the **Electricity Safety Act 1998** requires the issue of a certificate of compliance – the certificate of compliance in respect of the electrical installation work; and
 - (d) if the specified prefabricated building system includes plumbing work in respect of which Part 12A requires the issue of a compliance certificate – the compliance certificate in respect of the work; and
 - (e) written instructions for the safe transport and handling of the system; and
 - (f) written instructions for the use of the system.

Penalty: 120 penalty units, in the case of a natural person;
600 penalty units, in the case of a body corporate.

Note

Section 314 of the **Building and Plumbing Administration and Enforcement Act 2026** applies in respect of an offence against this subsection.

- (2) Subsection (1) is a civil penalty provision for the purposes of Part 6.7 of the **Building and Plumbing Administration and Enforcement Act 2026**.
- (3) For the purposes of subsection (1), use of a specified prefabricated building system means use of the system in accordance with any instructions provided by the registered prefabrication builder who made, manufactured or assembled it.
- (4) In this section –
specified prefabricated building system means –
 - (a) a prescribed prefabricated building system or prefabricated building system belonging to a prescribed class of prefabricated building system; or
 - (b) a prefabricated building system that is made or manufactured by use of a prescribed method.”.

178H Refusal of building permit

- (1) After section 24(1) of the **Building Act 1993** insert –
“(1A) The relevant building surveyor must not issue a building permit for the carrying out of building work that includes the use of an affected prefabricated building system unless the relevant building surveyor is satisfied that the application includes information sufficient to demonstrate that the person that is named as the builder in the building permit will be provided with the following documents by the following persons, in respect of the affected prefabricated building system –
 - (a) the documents referred to in section 15E(1)(a) to (f) – by the registered prefabrication builder; and
 - (b) any prescribed document – by a prescribed person or a person belonging to a prescribed class of person.”.
- (2) After section 24(8) of the **Building Act 1993** insert –
“(9) In this section –
affected prefabricated building system means a prefabricated building system or prefabricated building system belonging to a prescribed class of prefabricated building system that is prescribed as an affected prefabricated building system but does not include a prefabricated building system that is exempted by the regulations from the operation of subsection (1A);
prefabricated building system has the same meaning as in Part 2A.”.

178I Inspection of building work – general powers

At the end of section 35 of the **Building Act 1993** insert –

- “(2) In addition, if the building work includes the use of an affected prefabricated building system within the meaning of section 24(9), the relevant building surveyor may inspect any document referred to in section 24(1A) that relates to the affected prefabricated building system.”.

178J Refusal of occupancy permit

Before section 44(1)(c) of the **Building Act 1993** insert –

- “(bb) if the building work includes the use of an affected prefabricated building system within the meaning of section 24(9), unless the relevant building surveyor has seen the documents referred to in section 24(1A) in respect of the system; and”.

178K Application of Act to the Crown and public authorities

In section 217(1) of the **Building Act 1993**, after “Parts 2,” insert “2A.”.

178L Building surveyor may rely on certificate by other registered building practitioner or endorsed building engineer

- (1) After section 238(1)(a) of the **Building Act 1993** insert –
 - “(ab) that an affected prefabricated building system within the meaning of section 24(9) to be used in the proposed building work complies with the requirements of this Act and the building regulations; or”.
- (2) After section 238(2) of the **Building Act 1993** insert –
 - “(2A) A municipal building surveyor or a private building surveyor, in carrying out a function under this Act or the regulations, may rely on –
 - (a) in the case of prefabrication work that includes electrical installation work – a certificate under section 44 of the **Electricity Safety Act 1998**; or
 - (b) in the case of prefabrication work that includes plumbing work – a certificate issued by a licensed plumber under Part 12A.”.
- (3) After section 238(3) of the **Building Act 1993** insert –
 - “(4) In this section –
 - licensed plumber* has the same meaning as in Part 12A.”.

178M General regulation-making powers

- (1) Before section 261(1)(b) of the **Building Act 1993** insert –
 - “(ac) the issuing, production and keeping of certificates, other documents and information required by this Act, the building regulations or the plumbing regulations in relation to the carrying out of prefabrication work or the making, manufacturing or assembling of a prefabricated building system;
 - (ad) the keeping of records of inspections of the carrying out of prefabrication work;”.
- (2) After section 261(1)(c) of the **Building Act 1993** insert –
 - “(ca) requiring a person or class of person (the *first person*) to give to another person or class of person any information relating to the carrying out of prefabrication work by the first person;
 - (cb) requiring a person or class of person (the *first person*) to give to another person or class of person any document or class of document setting out any information relating to a prefabricated building system made, manufactured or assembled by the first person including –
 - (i) technical specifications; and
 - (ii) instructions for the use of the system; and
 - (iii) handling and transportation requirements;”.
- (3) After section 261(1)(ha) of the **Building Act 1993** insert –
 - “(hab) without limiting paragraph (ha), specifying the kind of work that a category or class of registered prefabrication builder is authorised to carry out by that registration including by reference to –
 - (i) a prescribed prefabricated building system or class of prescribed prefabricated building system; or
 - (ii) a prefabricated building system or class of prefabricated building system that is made or manufactured by use of a prescribed method;”.

178N New section 289B inserted

At the end of Part 14 of the **Building Act 1993** insert –

“289B Regulations dealing with transitional matters

- (1) The Governor in Council may make regulations containing provisions of a transitional nature, including matters of an application or savings nature, arising as a result of the enactment of this Act (including the repeals and amendments made by this Act).

- (2) Regulations made under this section may –
 - (a) have a retrospective effect to the day on which section 178N of the **Consumer Legislation Amendment Act 2026** comes into operation; and
 - (b) be of limited or general application; and
 - (c) leave any matter or thing to be decided by a specified person or class of person; and
 - (d) provide for the exemption of persons or things or a class of person or thing from any of the regulations made under this section.
- (3) Regulations made under this section have effect despite anything to the contrary in any Act (other than the **Consumer Legislation Amendment Act 2026** or the **Charter of Human Rights and Responsibilities Act 2006**) or in any subordinate instrument.
- (4) This section is **repealed** on the second anniversary of the day on which it comes into operation.”.

178O Schedule 1 – Building regulations

In Schedule 1 to the **Building Act 1993**, after item 31 insert –

“31A. The provision of certificates under any other Act.”.

178P Consequential amendment of Building and Plumbing Administration and Enforcement Act 2026

- (1) Before section 260 of the **Building and Plumbing Administration and Enforcement Act 2026** insert –

“259A Prefabricated building systems

In this Part, unless the contrary intention appears –

- (a) a reference to the construction of a building includes a reference to the use of a prefabricated building system (within the meaning of Part 2A of the **Building Act 1993**) in the construction of the building; and
- (b) a reference to a building product or a building material (however described) includes a reference to a prefabricated building system within the meaning of Part 2A of the **Building Act 1993**.”.
- (2) After section 314(2)(b) of the **Building and Plumbing Administration and Enforcement Act 2026** insert –
 - “(ba) section 15D(1), (2) or (3) or 15E(1) of the **Building Act 1993**”.
- (3) Before section 316(2)(a) of the **Building and Plumbing Administration and Enforcement Act 2026** insert –
 - “(aa) section 15D(1), (2) or (3) or 15E(1) of the **Building Act 1993**”.
- (4) After section 356(8) of the **Building and Plumbing Administration and Enforcement Act 2026** insert –
 - “(9) In this section, a reference to a building product or a building material (however described) includes a reference to a prefabricated building system within the meaning of Part 2A of the **Building Act 1993**.”.

New clauses agreed to.

New clauses 178Q to 178V (15:07)

Ingrid STITT: I move:

- 27. Insert the following new Division before Part 13 –

‘Division 2 – Complex plumbing work

178Q Definitions applying to Part 12A

In section 221B of the **Building Act 1993** insert the following definitions –

“*complex plumbing work* means plumbing work that is prescribed as complex plumbing work;

designer of complex plumbing means a prescribed person who prepares a design of complex plumbing work;

exempt complex plumbing work means complex plumbing work that is prescribed as exempt complex plumbing work;

start work notice (design) has the meaning given by section 221BA;”.

178R New section 221BA inserted

After section 221B of the **Building Act 1993** insert –

“221BA Meaning of start work notice (design)

A *start work notice (design)* is a written notice relating to complex plumbing work that sets out the following in respect of the complex plumbing work –

- (a) a description of the complex plumbing work to be carried out;
- (b) the address, or description of the location, of the premises at which the complex plumbing work is to be carried out;
- (c) the proposed commencement date or dates of the complex plumbing work to be carried out;
- (d) the name and address of the designer of complex plumbing;
- (e) the class of building in which the complex plumbing work is to be carried out;
- (f) any prescribed information.”.

178S New sections 221ZPB to 221ZPJ inserted

After section 221ZPA of the **Building Act 1993** insert –

“221ZPB Designer of complex plumbing must give start work notice (design) to Commission

- (1) A designer of complex plumbing must give a start work notice (design) to the Commission within the prescribed time after the designer is engaged to prepare the design of complex plumbing work to which the notice relates.

Penalty: 120 penalty units, in the case of a natural person;
600 penalty units, in the case of a body corporate.

- (2) A designer of complex plumbing does not commit an offence against subsection (1) if the complex plumbing work is exempt complex plumbing work.

221ZPC Designer of complex plumbing must give start work notice (design) to person who engaged them to prepare design

- (1) A designer of complex plumbing must give the person who engaged the designer to prepare a design of complex plumbing work, as soon as practicable after the designer gives the start work notice (design) for that complex plumbing work to the Commission –

- (a) a copy of the start work notice (design) for that complex plumbing work; and
- (b) written confirmation that the designer has given the start work notice (design) to the Commission.

- (2) Subsection (1) applies despite anything to the contrary in any agreement.

- (3) A designer of complex plumbing is not required to comply with subsection (1) if the complex plumbing work is exempt complex plumbing work.

221ZPD Person who has engaged designer of complex plumbing must give start work notice (design) to licensed plumber

- (1) This section applies to a person who has –
 - (a) engaged a designer of complex plumbing to prepare a design of complex plumbing work (other than exempt complex plumbing work); and
 - (b) received from the designer of complex plumbing –
 - (i) a copy of a start work notice (design) for that plumbing work; and
 - (ii) a written confirmation that the designer of complex plumbing has given the start work notice (design) to the Commission.

- (2) If the person engages a licensed plumber to carry out the complex plumbing work to which the start work notice (design) relates, the person must give a copy of the start work notice (design) and a copy of the written confirmation to the plumber as soon as practicable after receiving –

- (a) the start work notice (design); and
- (b) the written confirmation.

221ZPE Offences relating to designers and complex plumbing work designs

- (1) A person must not prepare a design of complex plumbing work (other than in the circumstances specified in subsection (2)) for use in the carrying out of complex plumbing work if the person does not –

- (a) hold the prescribed qualifications or have the prescribed experience that a person who prepares designs of complex plumbing work must hold or have; and
- (b) meet the prescribed requirements that a person must meet in order to prepare designs of complex plumbing work.

Penalty: 500 penalty units, in the case of a natural person;

2500 penalty units, in the case of a body corporate.

- (2) For the purposes of subsection (1), a person may prepare a design of complex plumbing work if –

- (a) the regulations state that the design may be prepared by a person who does not –
 - (i) hold the prescribed qualifications or have the prescribed experience that a person who prepares designs of complex plumbing work must hold or have; and
 - (ii) meet the prescribed requirements that a person must meet in order to prepare designs of complex plumbing work; or
- (b) the person does so in the circumstances specified in the regulations as the circumstances in which the design may be prepared by a person who does not –
 - (i) hold the prescribed qualifications or have the prescribed experience that a person who prepares designs of complex plumbing work must hold or have; and
 - (ii) meet the prescribed requirements that a person must meet in order to prepare designs of complex plumbing work.

- (3) A designer of complex plumbing who is engaged to prepare a design of complex plumbing work must ensure that the design of the complex plumbing work meets the prescribed requirements.

Penalty: 120 penalty units, in the case of a natural person;

600 penalty units, in the case of a body corporate.

221ZPF Designer of complex plumbing must give certified complex plumbing work design to Commission

- (1) A designer of complex plumbing who is engaged to prepare a design of complex plumbing work must give the Commission, within the prescribed time –

- (a) the design of the complex plumbing work; and
- (b) a written statement certifying whether the design of the complex plumbing work meets the prescribed requirements.

Penalty: 120 penalty units, in the case of a natural person;

600 penalty units, in the case of a body corporate.

- (2) A designer of complex plumbing does not commit an offence against subsection (1) if the complex plumbing work is exempt complex plumbing work.

221ZPG Designer of complex plumbing must give certified complex plumbing work design and related documents to person who engaged them to prepare design

- (1) This section applies if a designer of complex plumbing engaged to prepare a design of complex plumbing work (other than exempt complex plumbing work) has given the Commission –
 - (a) the design of the complex plumbing work; and
 - (b) a written statement certifying whether the design of the complex plumbing work meets the prescribed requirements.
- (2) The designer of complex plumbing must, as soon as practicable after giving the Commission the design of the complex plumbing work and written statement, give the person who engaged the designer –
 - (a) the design; and
 - (b) the written statement; and
 - (c) written confirmation that the designer has given to the Commission the documents referred to under paragraphs (a) and (b).

221ZPH Certified complex plumbing work designs and related documents to be given to licensed plumber

- (1) This section applies to a person who has –
 - (a) engaged a designer of complex plumbing to prepare a design of complex plumbing work (other than exempt complex plumbing work); and
 - (b) received from the designer –
 - (i) the design of the complex plumbing work; and
 - (ii) a written statement certifying whether the design of the complex plumbing work meets the prescribed requirements; and
 - (iii) written confirmation that the designer has given to the Commission the documents referred to under subparagraphs (i) and (ii).
- (2) If the person engages a licensed plumber to carry out the complex plumbing work to which the design of complex plumbing work relates, the person must give a copy of the design of the complex plumbing work, a copy of the written statement and a copy of the written confirmation to the plumber as soon as practicable after receiving –
 - (a) the design of the complex plumbing work; and
 - (b) the written statement; and
 - (c) the written confirmation.

221ZPI Commission may request further information or material in relation to complex plumbing work

- (1) This section applies if the Commission has received from a designer of complex plumbing work –
 - (a) a start work notice (design) under section 221ZPB; or
 - (b) a design of complex plumbing under section 221ZPF.
- (2) The Commission, by written notice given to the designer of complex plumbing work, may request further information or material in relation to –
 - (a) the complex plumbing work to which a start work notice (design) relates; or
 - (b) the design.
- (3) A notice under subsection (2) must specify –
 - (a) the information or material that is to be given to the Commission; and
 - (b) the date by which the information or material must be given to the Commission.
- (4) On receiving a notice under subsection (2), a designer of complex plumbing work may request, in accordance with any prescribed requirements, the Commission to change the date specified in the notice to a later date.

- (5) If the Commission agrees to the request, the Commission must issue another notice under subsection (2) with a new date by which the information or material must be given to the Commission (a *reissued notice*).
- (6) A designer of complex plumbing given a notice, or reissued notice, under subsection (2), must comply with the notice or reissued notice unless the designer has a lawful excuse.

Penalty: 120 penalty units, in the case of a natural person;
600 penalty units, in the case of a body corporate.

221ZPJ Complex plumbing work prohibited before receipt of certain documents

- (1) A person must not carry out complex plumbing work unless the person has obtained the following –
 - (a) the design of the complex plumbing work; and
 - (b) a written statement from the designer of the complex plumbing who prepared the design certifying whether the design of the complex plumbing work meets the prescribed requirements; and
 - (c) written confirmation that the designer has given the Commission –
 - (i) the design of the complex plumbing work; and
 - (ii) a written statement certifying whether the design of the complex plumbing work meets the prescribed requirements.

Penalty: 500 penalty units, in the case of a natural person;
2500 penalty units, in the case of a body corporate.
- (2) A person does not commit an offence against subsection (1) if the complex plumbing work is exempt complex plumbing work.”.

178T Regulations

In section 221ZZZV(1) of the **Building Act 1993** –

- (a) for paragraph (b) **substitute** –
 - “(b) fees for the purposes of this Part, including –
 - (i) fees for examinations or assessments conducted by, or on behalf of, the Commission; or
 - (ii) fees for the assessment of start work notices (design) and designs of complex plumbing work by, or on behalf of, the Commission;”;
- (b) after paragraph (c) **insert** –
 - “(ca) prescribing what constitutes complex plumbing work;”;
- (c) before paragraph (h) **insert** –
 - “(ge) qualifications or experience that a person who prepares designs of complex plumbing work must hold or have or requirements that a person must meet in order to prepare designs of complex plumbing work;
 - (gf) the preparation or amendment of designs of complex plumbing work, including –
 - (i) requirements that a design of complex plumbing work or an amendment of a design of complex plumbing work must meet; or
 - (ii) procedures to amend a design of complex plumbing work and matters to be considered, applied or complied with to amend, or when amending, a design of complex plumbing work; or
 - (iii) the certification of a design of complex plumbing work or an amended design of complex plumbing work and documents to accompany or form part of the certification; or
 - (iv) the giving of amended designs of complex plumbing work to persons;
 - (gg) notifications to be given to the Commission before or during the carrying out of complex plumbing work or at specified stages of carrying out complex plumbing work, and the content of the notifications;

- (gh) compliance certificates to be provided by persons who –
 - (i) prepare designs of complex plumbing; or
 - (ii) carry out complex plumbing work;
- (gi) information or documents to be provided with compliance certificates by persons who –
 - (i) prepare designs of complex plumbing; or
 - (ii) carry out complex plumbing work;
- (gj) inspections of complex plumbing work and inspection reports for complex plumbing work;”.

178U Consequential amendment of Building and Plumbing Administration and Enforcement Act 2026

After section 38(1)(k) of the **Building and Plumbing Administration and Enforcement Act 2026** insert –

- “(ka) to administer the provisions of the **Building Act 1993** relating to the design and carrying out of complex plumbing work;”.

178V New sections 289C and 289D inserted

At the end of Part 14 of the **Building Act 1993** insert –

“289C Transitional provision relating to the Consumer Legislation Amendment Act 2026

- (1) The amendments made by Division 2 of Part 12A of the **Consumer Legislation Amendment Act 2026** do not apply to –
 - (a) a designer of complex plumbing, in relation to preparing a design of complex plumbing work, if the designer is engaged before the commencement day to prepare the design; or
 - (b) a person carrying out complex plumbing work, if the designer of the complex plumbing work is engaged before the commencement day to prepare the design.
- (2) In this section –

commencement day means the day on which Division 2 of Part 12A of the **Consumer Legislation Amendment Act 2026** comes into operation.

289D Transitional regulations relating to the Consumer Legislation Amendment Act 2026

- (1) The Governor in Council may make regulations containing provisions of a transitional nature, including matters of an application or savings nature, arising as a result of the enactment of this Act (including the repeals and amendments made by this Act).
- (2) Regulations made under this section may –
 - (a) have a retrospective effect to the day on which section 178V of the **Consumer Legislation Amendment Act 2026** comes into operation; and
 - (b) be of limited or general application; and
 - (c) leave any matter or thing to be decided by a specified person or class of person; and
 - (d) provide for the exemption of persons or things or a class of person or thing from any of the regulations made under this section.
- (3) Regulations made under this section have effect despite anything to the contrary in any Act (other than the **Consumer Legislation Amendment Act 2026** or the **Charter of Human Rights and Responsibilities Act 2006**) or in any subordinate instrument.
- (4) This section is **repealed** on the second anniversary of the day on which it comes into operation.”.

New clauses agreed to.

New clauses 178W to 178ZD (15:07)

Ingrid STITT: I move:

28. Insert the following new Division before Part 13 –

‘Division 3 – Developer bonds

178W Definitions

In section 137ZM of the **Building Act 1993** insert the following definition –

“*developer bond requirement* means the requirement under section 137ZP(1) for the developer of a residential apartment building to arrange for the issue or execution of a developer bond;”.

178X Offence to apply for occupancy permit if no developer bond issued

After section 137ZR(1) of the **Building Act 1993** insert –

“(1AB) Subsection (1) does not apply to a person if the developer of the residential apartment building is excepted from the developer bond requirement.”.

178Y Developer must nominate assessor

After section 137ZT(3) of the **Building Act 1993** insert –

“(4) Subsection (1) does not apply to a developer who is excepted from the developer bond requirement.”.

178Z Approval of nomination

After section 137ZV(5) of the **Building Act 1993** insert –

“(6) This section does not apply if the developer of the residential apartment building is excepted from the developer bond requirement.”.

178ZA Developer must appoint assessor

- (1) In section 137ZX(1) of the **Building Act 1993**, for “subsections (2) and (3)” substitute “subsections (2), (3) and (6)”.

- (2) After section 137ZX(5) of the **Building Act 1993** insert –

“(6) Subsection (1) does not apply to a developer who is excepted from the developer bond requirement.”.

178ZB Authority may appoint building assessor

After section 137ZY(2) of the **Building Act 1993** insert –

“(3) This section does not apply if the developer of the residential apartment building is excepted from the developer bond requirement.”.

178ZC Arrangements for final inspection

After section 137ZZE(5) of the **Building Act 1993** insert –

“(6) Subsection (1) does not apply to a developer who is excepted from the developer bond requirement.”.

178ZD Appointment of building assessor for final inspection

After section 137ZZF(3) of the **Building Act 1993** insert –

“(4) This section does not apply if the developer of the residential apartment building is excepted from the developer bond requirement.”.

New clauses agreed to.

New clauses 178ZE to 178ZK (15:08)

Ingrid STITT: I move:

29. Insert the following new Division before Part 13 –

‘Division 4 – Miscellaneous amendments

178ZE Refusal of occupancy permit

After section 44(1)(b) of the **Building Act 1993** insert –

- “(ba) if electrical work, in respect of which the **Electricity Safety Act 1998** required the issue of a certificate under Division 3 of Part 3 of that Act, was carried out in conjunction with the building work on the building or part of the building in respect of which the permit is sought, unless the relevant building surveyor has seen a copy of the certificate; and”.

30. Insert the following new Division before Part 13 –

‘Division 5 – Minor technical amendments

178ZF Definitions and interpretation

In section 3(1) of the **Building Act 1993** –

- (a) in the definition of *approved prescribed qualification*, for “171AA(1)(b)” substitute “171AA(1)(a)(ii)”;
- (b) in paragraphs (a) and (b) of the definition of *relevant building surveyor*, for “or permit,” substitute “or a permit,”.

178ZG Statute law revision

- (1) In section 24(1)(e) of the **Building Act 1993**, for “(2A)” substitute “(2E)”.
- (2) In section 137Q(5) of the **Building Act 1993**, for “the method by which the premiums are to be calculated” substitute “order”.

178ZH Notice of intention to apply for occupancy permit

- (1) In section 40A(1) of the **Building Act 1993**, after “The developer” insert “(within the meaning of Part 9B)”.
- (2) In section 40A(3) of the **Building Act 1993**, after “A developer” insert “(within the meaning of Part 9B)”.
- (3) In section 40A(5) of the **Building Act 1993**, in paragraphs (a) and (b) of the definition of *applicable period*, after “occupancy permit application date” (where first occurring) insert “(within the meaning of Part 9B)”.

178ZI Refusal of occupancy permit

In section 44(2) of the **Building Act 1993** –

- (a) in paragraph (c) –
- (i) after “developer” (where first occurring) insert “(within the meaning of Part 9B)”;
- (ii) after “building” insert “in accordance with Part 9B”;
- (b) in paragraph (e), after “developer” insert “(within the meaning of Part 9B)”.

178ZJ Approved person

In section 171AAB of the **Building Act 1993** –

- (a) in subsection (1)(b), for “171AA(1)(b)” substitute “171AA(1)(a)(ii)”;
- (b) in subsection (1)(c), for “171AA(1)(c)” substitute “171AA(1)(b)”.

178ZK Refusal of building permit

In section 542(2) of the **Building and Plumbing Administration and Enforcement Act 2026**, for “205G(1). (2) and (2A)” substitute “205G(1), (2) and (2E)”.

New clauses agreed to.

New clauses 178ZL to 178ZM (15:08)

Ingrid STITT: I move:

31. Insert the following new Part before Part 13 –

‘Part 12B – Amendment of Domestic Building Contracts Amendment Act 2025

178ZL Commencement

In section 2(3) of the **Domestic Building Contracts Amendment Act 2025**, for “1 December 2026” substitute “31 March 2027”.

178ZM Repeal of this Act

In section 82 of the **Domestic Building Contracts Amendment Act 2025**, for “1 December 2027” substitute “31 March 2028”.

New clauses agreed to; clause 179 agreed to.**Long title (15:08)**

Aiv PUGLIELLI: I move:

6. Long title, omit “plans and proceedings,” and insert “plans, proceedings and proxy voting.”

Ingrid STITT: The government will be supporting Mr Puglielli’s amendment.

Melina BATH: The Liberals and Nationals will support this amendment.

Amendment agreed to.

Ingrid STITT: I move:

32. Long title, after “deposit moneys” insert “and off-the-plan contracts”.

Amendment agreed to.

Ingrid STITT: I move:

33. Long title, after “used motor cars,” insert “the **Building Act 1993** in relation to developer bonds.”

Amendment agreed to.

Ingrid STITT: I move:

34. Long title, before “certain other Acts” insert “the **Building Act 1993** in relation to prefabrication work and prefabrication builders.”

Amendment agreed to.

Ingrid STITT: I move:

35. Long title, before “certain other Acts” insert “the **Building Act 1993** in relation to complex plumbing work.”

Amendment agreed to.

Ingrid STITT: I move:

36. Long title, before “certain other Acts” insert “the **Building Act 1993** and the **Building and Plumbing Administration and Enforcement Act 2026** in relation to minor matters.”

Amendment agreed to.

Ingrid STITT: I move:

37. Long title, before “certain other Acts” insert “the **Domestic Building Contracts Amendment Act 2025** in relation to its commencement.”

Amendment agreed to; amended long title agreed to.

Reported to house with amendments, including amended long title.

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (15:11): I move:

That the report be now adopted.

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

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (15:11): I move:

That the bill be now read a third time and do pass.

Council divided on motion:

Ayes (29): Ryan Batchelor, Melina Bath, John Berger, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Anasina Gray-Barberio, Ann-Marie Hermans, Wendy Lovell, Sarah Mansfield, Bev McArthur, Joe McCracken, Tom McIntosh, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Noes (2): Moira Deeming, David Limbrick

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

The DEPUTY 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.

Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026*Second reading***Debate resumed on motion of Jaclyn Symes:**

That the bill be now read a second time.

Bev McARTHUR (Western Victoria) (15:18): It is a great pleasure to speak today about racing, because racing is something I love. I have been a horse lover and a horserider all my life. I rode a horse to school as a child – it did jump out of the pony paddock and go home and I was left to walk. But horses have been a big part of all my family's life for a long time. So I am pleased now to say something on the government's Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026, particularly since this is a bill which they have been prepared to improve in response to the opposition and the industry. Indeed we have seen that even this morning, and I would greatly like to thank Minister Erdogan and Minister Carbines for their consideration of our amendments removing clauses 7 to 10 in part 3 of the bill. I will deal with the other specific consequences of the bill first, because they can be dealt with briefly, and then I want to spend some time on the industry itself, because after all the industry is what this bill is ultimately for.

The bill does, in the main, four things. First, it amalgamates our two racing integrity bodies, the Office of the Racing Integrity Commissioner and the Victorian Racing Integrity Board, into a single new integrity commission. This is an outcome of the Silver review into duplication in racing integrity oversight. The statutory office of the commissioner is retained, with expanded audit and complaint investigation powers, its own-motion inquiry function preserved and its reporting arrangements strengthened, while the nine-member Victorian Racing Integrity Board is abolished and replaced by a

small board with a new commission. I will return to the composition and funding of that commission because that is where the coalition's work on this bill has been concentrated.

Second, the bill dissolves the statutory authorities of Greyhound Racing Victoria and Harness Racing Victoria and establishes successor bodies as public companies limited by guarantee – the same legal structure Racing Victoria has operated under since 2001. I am a Liberal, in case you did not know, so the word 'company' holds no terrors for me. I do worry that some members opposite might be alarmed by it given what we know they think of business and enterprise, but they can relax, because even they should approve of these companies. They will be not-for-profit entities, with every dollar of profit reinvested into their codes. The Minister for Racing will continue to appoint and remove the directors and must certify each new company as the controlling body of its code before the statutory authority winds up, a transition to be completed no later than 1 July 2028, with staff transferred to the successor entities on the same terms and conditions with continuity of service preserved. This brings all three codes into structural harmony. It has the support of the controlling bodies themselves, and we support it too.

Third, the bill broadens the pool of people eligible to serve as deputy chairs of the Victorian Racing Tribunal. It requires at least one deputy chair to be a current or former judicial officer, while allowing other deputy chairs to be highly experienced Australian lawyers with relevant knowledge of racing. The sector has welcomed these changes, and so do we.

Fourth, the bill amends the Australian Grands Prix Act 1994 to give the grand prix corporation proper powers over approved motorsport events: to charge admission, establish supporting facilities and deal in sponsorship and broadcast rights. This corrects an oversight left behind by the government's own recent amendments to that act. Of course the reason these powers are suddenly needed is that the corporation no longer has the Phillip Island MotoGP to manage. After 28 years another great international event has been lost to another state on this government's watch, and every pub, cafe and motel on the road to San Remo will feel the effects of that. We will not oppose fixing the drafting. We simply make the point: who made the fix necessary?

The Liberals and Nationals agree entirely with removing duplication in integrity oversight. Integrity is the cornerstone of racing – we all know why – and it is a cornerstone worth \$5.5 billion. Any structure that protects it must be robust, properly resourced and beyond reproach. Our concerns – which the Shadow Minister for Racing in the other place, the member for Ovens Valley, prosecuted so effectively – are threefold. The first is numbers. Today 14 people determine racing integrity in Victoria: the commission's office of four and the nine-member board, plus the chief executive at the Victorian Racing Integrity Board. As introduced, this bill would have cut that to seven, being the commissioner's office and a board of just three. Stakeholders supported the restructure but not the optics or the substance of halving the state's integrity apparatus. The coalition proposed a board of five. The government accepted, and amendments to that effect were made in the other place. It is a better bill because of that, and I acknowledge the minister for engaging constructively.

The next concern was timing. New South Wales, the only other racing jurisdiction that rivals ours, commissioned Brad Hazzard to review the integrity and proper regulation of thoroughbred racing under its Thoroughbred Racing Act 1996. Most participants agree that uniformity of integrity structures across our two great racing states benefits everyone. Our jockeys ride at Caulfield on Saturday and at Randwick on Wednesday. Whatever ultimately emerges from that review, if it contains findings worth adopting here, Victoria should be willing to act on them rather than treating this bill as the last word of racing integrity.

For those reasons, the coalition did not oppose the bill in the Assembly, and I confirm that if the amendments in my name today can be accepted, we will be pleased to support the bill in this place too. I will formally move those amendments at the committee stage, but for now I will just say that we are grateful to the government for responding constructively to feedback raised by the metropolitan racing clubs about part 3 of this bill. Those provisions largely sought to place Racing Victoria's

existing functions and powers on a more explicit statutory footing, but the clubs had questions about the way the provisions were framed and the way they might operate in practice. The opposition conveyed that feedback to the government, and we welcome its foreshadowed agreement to remove part 3 from the bill.

I do not want to spend all my time on machinery, because the machinery only matters for what it protects, and what it protects is one of the great industries of this state, something I have had the pleasure of supporting publicly in this place many times before. The latest IER report *Size and Scope of the Victorian Racing Industry* for the 2024–25 season is a goldmine of useful information. Racing generated more than \$5.5 billion in value-added contribution to the Victorian economy last season, up from \$4.7 billion when this was last measured, and sustained more than 33,000 full-time-equivalent jobs. It put \$2.9 billion into Victorian households in wages and salaries. Almost 100,000 roles are occupied in this industry as participants, employees or volunteers, including nearly 2000 breeders, more than 2700 trainers, 73,000 owners and over 7000 volunteers. Across 109 racing clubs and 108 tracks, the three codes staged 2169 race meetings and more than 22,000 races last season, drawing nearly 1.6 million attendances. Thoroughbreds alone contributed \$4 billion of that value, and the 2024 spring racing carnival delivered a record \$785 million in gross economic benefit, attracting more than 83,000 visitors to Victoria specifically for the carnival and generating some 321,000 visitor nights across the state.

But here are the figures that ought to attract our attention above everything. Close to 80 per cent of those 100,000 roles are in regional Victoria, and more than 46 per cent of the industry's entire value-added impact lands in regional economies. This is not a Flemington industry with a country hobby attached. It is a regional industry with a city shopfront – a very pretty shopfront, I agree, but the guts are still in regional Victoria. Our racing clubs are community infrastructure too. More than 560 community and not-for-profit organisations share racing facilities, while clubs supported 960 charitable and community organisations and helped raise nearly \$5 million on their behalf last season. The industry is not just about clubs: it is about the farrier, the feed merchant, the float driver, the strapper, the country vet, the stablehand and the publican, whose best weekend of the year is cup day. No government built this industry; it was built by breeders, trainers, owners, volunteers and punters over more than a century and a half and by communities organising themselves, which is something I commend to members opposite.

But those numbers are not a birthright. Victoria has long been Australia's racing capital, yet other states are investing heavily to attract our major events, our participants and our investment, and we cannot afford to be complacent. We have already lost the MotoGP; we should be determined to lose nothing else. Despite that, this government has taken a year-to-year approach to an industry that needs long-term certainty and strategic planning. A future Liberals and Nationals government will work alongside the thoroughbred, harness and greyhound codes to ensure Victoria remains the home of Australia's premier racing events for the next decade and beyond. Our focus will be on providing certainty, encouraging investment, strengthening regional racing and giving all three codes the confidence to plan for the future. My colleague the Shadow Minister for Racing put it well: an industry that contributes more than \$5.5 billion to Victoria's economy deserves a government with a vision that extends well beyond the next budget.

Racing is also about dreams and passions, pedigrees, breeding, picking out a yearling and ownership shared by everyone from serious investors to people with the smallest of shares. My own family knows this well. My husband's family bred Chicquita, who won the VRC Oaks and ran second in the Melbourne Cup and who is commemorated to this day in the Chicquita Lodge stables at Flemington. Once you own even the smallest share of a horse, you have skin in the game, and the joy is the same whether that share is large or small.

I say plainly: there are some in this place who would legislate this industry out of existence tomorrow if they could. The campaign against one code is always part of a campaign against them all. It starts with the greyhounds. It moves to jumps racing, then to flat racing and will not stop before it reaches

the pony club. To those who run that campaign, I say go and spend a day at a country race meeting. Watch the horse lovers who start before dawn in the cold to feed, exercise and care for their animals. The industry's welfare standards are international best practice, and the three controlling bodies alone employ 179 full-time equivalent staff in animal welfare and integrity roles. Racing Victoria's Off the Track program, which I have championed in this place, retrains and rehomes retired racehorses into second careers in polo, eventing, pony clubs, therapy and pleasure riding. People in the horse world love their animals and look after them. Where individuals do the wrong thing, they are banned and prosecuted, and so they should be. But do not judge an industry of real animal lovers by its rare offenders. Nowhere is all of this more true than in Western Victoria Region. The IER study breaks the state into regions, and three of them – Ballarat, Geelong and Warrnambool in the south-west – sit substantially within my electorate. Between them they account for more than \$520 million in value-added economic contribution every year – \$225 million in the Ballarat region, \$159 million in the Geelong region and \$136 million in Warrnambool and the south-west. The Warrnambool and south-west region hosts more than 5000 racing participants, the largest regional participant base in Victoria, larger than Geelong, larger than Ballarat and larger than Bendigo or Hume.

Anyone who doubts what those numbers mean on the ground should come and see. Come to the Warrnambool May Racing Carnival: three magnificent days culminating in the Grand Annual steeplechase, worth at last count some \$14 million to Warrnambool and district and filling every bed and front bar in town. Come to Apsley, founded in 1855 and Victoria's oldest surviving racing club. Come to Burrumbeet on New Year's Day, where a single race meeting each year carries a whole district's traditions. Come to Camperdown in January and stand under its historic grandstand, or to Dunkeld, where the track sits at the foot of the Grampians and doubles for polo. Come to the Geelong Cup, where a famous club gives a city a public holiday of horses, fashion and fun and gives its traders one of their best days of the year. And come to the harness and greyhound meetings across the west, where the same families, the same volunteers and the same devotion keep two more codes alive. Come to Terang, come to Mortlake. These clubs are community institutions. Their race days are the annual gathering points of my electorate, and they are employers too, which is why I have long argued that young people in the south-west should be able to train locally as stablehands and track workers instead of being sent to Melbourne.

Integrity is the cornerstone on which this entire edifice rests. Question the integrity of racing and you place \$5.5 billion of economic activity, tens of thousands of livelihoods and the lives of hundreds of country communities at risk. That is why the structure must be right, the numbers must be right and above all the funding must be right – integrity that is independent in fact and independent in appearance, beyond reproach and beyond capture. The industry wants this settled before the Parliament rises, and it deserves that certainty. Let us never forget the punter, whose dollar wager underwrites so much of this through the clubs, the codes and the taxes on every bet and who asks only for a fair go and a straight race.

The Liberals and Nationals support this bill. We will always stand with this industry – with the trainers, the owners, the volunteers and the communities of Western Victoria who make it what it is. I commend the bill to the house. I will circulate the amendments in my name at the same time.

Katherine COPSEY (Southern Metropolitan) (15:39): The Greens will be opposing the Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026. This bill merges the racing integrity commissioner and the Victorian Racing Integrity Board into the new Racing Integrity Commission Victoria. It restructures the Victorian Racing Tribunal. It converts Greyhound Racing Victoria and Harness Racing Victoria from statutory authorities into companies limited by guarantee, and it gives the Australian Grand Prix Corporation additional commercial powers. It is being sold as a governance modernisation bill by the Labor government, but in practice it gives racing bodies greater commercial freedom with less transparency and accountability, while doing little to address the serious gambling harm and animal welfare failures that these industries create, all while taxpayers continue to prop them up with public money. And the industry is not hiding this. Greyhound Racing Victoria has

been remarkably frank about what it likes about this bill. GRV says the new structure will allow it to operate more commercially without being bound by public sector governance policies around procurement, advertising, finance, borrowings and asset ownership, and it says explicitly that the change will ‘move GRV out of the public sector’.

The government is not, with this, taking ordinary private businesses and freeing them from unnecessary red tape. These are industries that Labor and the Liberals have supported with extraordinary amounts of public money, and they are now removing them from public scrutiny. The government itself boasts of a \$72 million racing industry fund and a \$15 million Major Racing Events Fund, and Parliament has been told that one of the racing entities, Harness Racing Victoria, has received \$86.8 million in government support, including a \$41 million taxpayer loan. At the same time, the government is cutting essential community services.

Then there is the extraordinarily favourable wagering tax arrangement. In 2023 I spoke in this chamber against Labor increasing racing’s share of point-of-consumption wagering tax revenue from 35 to 50 per cent of the tax collected. Parliament was told in 2023 that the changes would deliver the racing industry an estimated \$119 million a year in additional funding. We now know that in the first full year of the scheme Victoria collected \$382 million in racing and sports wagering taxes, implying around \$191 million flowed to racing under its extraordinarily generous 50 per cent entitlement. On a like-for-like basis the increased entitlement itself was worth roughly \$102 million more in 2024–25 than racing would have received under the old arrangements. The latest budget forecast suggests that an additional benefit will be about \$111 million in 2025–26 and an average of roughly \$113 million a year over the next four years.

I argued then that there was something fundamentally wrong with taxing the harmful gambling industry and then funnelling so much of that revenue straight back into racing, and that is still absolutely true. That money could instead be used to help provide affordable housing, health care, education, community services and programs that not only are essential for our society to function and for our community to thrive but would actually help to support reducing gambling harm. The Greens’ position remains that Labor needs to end its financial support for animal racing rather than continuing to use public money to prop up these harmful industries.

Against that background, it is extraordinary that this government now wants these entities to enjoy less accountability than normally accompanies public sector status. This bill expressly provides that the successor of the GRV and Harness Racing Victoria companies will not be public entities under the Public Administration Act 2004 and will not be public bodies under the Financial Management Act 1994, yet the public assets, liabilities and contracts will be transferred to them. You cannot have it both ways. If an organisation is sustained by public money and receives publicly derived assets, Parliament and the public are entitled to strong safeguards around how that money and assets are managed and transparency around this. The government needs to explain what these changes mean for freedom of information, for Victorian Auditor-General’s Office oversight, for the Ombudsman and IBAC and public interest disclosure protections, for procurement, for borrowing, for executive remuneration and for public records. And we need much stronger protections for public assets. What prevents valuable land from eventually being sold, mortgaged or transferred? What happens to those assets if one of these companies becomes insolvent, is wound up or ceases to be a controlling body? These questions are particularly important given Harness Racing Victoria’s significant landholdings at Melton. So this bill is quite disappointing, in our view, in terms of the transparency, accountability and oversight of these activities.

The bill is equally disappointing on animal welfare. It includes promoting animal welfare as an objective, and it gives the new integrity commission some capacity to audit animal welfare policies. But the bodies whose job it is to promote and commercially develop racing will continue to have substantial responsibility for regulating the treatment of the animals that are used by those industries. That structural conflict is not new. Sue Pennicuik was warning this Parliament on behalf of the Greens back in 2018 that racing’s integrity functions needed to be separated from its commercial and

promotional functions, and this echoes the disastrous Outdoor Recreation Victoria – or whatever we ended up renaming it – bill that has just gone through, where the government has set up a deeply conflicted agency. The same principles of separation should apply even more strongly to animal welfare. This industry should not be responsible for promoting itself and for growing wagering returns but then at the same time for independently judging whether the animals it uses are being adequately protected, the animals it relies upon to generate income. That is why the Greens have consistently called for an independent animal welfare authority. These are not hypothetical concerns. We know that there are huge rates of animal harm, death and injury within these industries. GRV's own 2024–25 figures record 43 racing fatalities and 450 dogs euthanised.

This bill also does not seriously address gambling harm, which is rife within these industries. There is no gambling harm prevention objective imposed on the racing controlling bodies. There is no statutory harm minimisation plan, no requirement for public health expertise on their boards and no requirement linking their substantial public funding to independently measured reductions in gambling harm. Commercial growth is built into this system, but preventing the harm generated by that growth is not. The new Racing Integrity Commission may provide some useful additional oversight, but oversight without enforcement has its limits. Auditing, investigating and making recommendations only work if those recommendations produce consequences when the controlling bodies refuse to act.

The Greens support genuinely independent integrity regulation. We support transparency and accountability. This bill leaves fundamental conflicts in place. It gives racing bodies greater commercial autonomy without imposing corresponding duties to prevent gambling harm or providing for genuinely independent animal welfare regulation. Extraordinarily, it moves publicly supported organisations out of the public sector precisely because they want greater freedom from public sector rules. The Greens take a different view than the government. We think if public money is involved, public accountability should increase and not decrease. Ultimately, rather than continue to subsidise these industries that are built around gambling and animal exploitation, that money should be spent on things Victorians actually need. For those reasons, the Greens will be opposing this bill.

Melina BATH (Eastern Victoria) (15:47): Just a few brief words on the Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026. I know our lead speaker in the house Mrs McArthur has put the position of the Liberals and Nationals, but I do just want to reference a few comments in relation to us moving amendments to omit clauses 7 to 10 in part 3 of the bill, and I seek the support of the house for that. I know that our shadow minister Tim Bull and the Minister for Racing have had multiple conversations, and I think both of them have probably had very deep conversations with various stakeholders and sectors. I would appreciate if there could be some collegiality in respect of this debate that supports not only racing and the continuation of the three codes – thoroughbred racing, harness racing and greyhound racing – but ensures that there is integrity in the system as well as animal welfare. It is a really important thing.

I certainly heard Mrs McArthur speak about the length and breadth of the impacts and influences that racing has, but also how it stimulates and encourages our communities, whether it be in a group 1 in downtown Melbourne or whether it happens to be in Eastern Victoria Region – the greyhounds at Traralgon, the racetrack at Traralgon, the greyhounds at Sale, the racetrack at Sale, the country race clubs, the picnic races up at Hinnomunjie, the various Easter activities and indeed the March operation down at Stony Creek, which has been a regular feature for me for well over a decade. These sorts of experiences are really important. I know that many of the trainers and owners view these beautiful animals, whether they be horses or dogs, quite often as part of the family. They have a great passion not only for racing but also for animal welfare and the health and wellbeing of their animals.

There are trainers, without a doubt – I know there was a local trainer down at Sandy Point who had some really good wins a little while ago, and he has been a long-term identity down in the region. When I was attending school, I think he might have been the janitor, if we called it that then. This is where with some of these activities, the racing experiences, very grassroots people really support them, enjoy them and they are part of their life. It can be trainers; it can be stud farms supporting local

economies. It can be transport operators; veterinarians, as we heard in a discussion earlier this week on a motion supporting veterinarians; farriers and feed merchants; and hospitality venues and volunteers who give up their time. Another that springs to my mind happens to be the Dumbalk CFA, and a shout-out to all their fantastic crew. They sit and work the gates at the football club, but they also support the activities at Stony Creek. We always hand over some money for our fantastic CFAs.

My point here is that there is a stimulation of activity, of social experience, but also of those regional clubs or economies – and it is really important – in Sale, Moe, Warragul, Bairnsdale, Stony Creek and Cranbourne. The Woolamai Cup is also a place to go. It is the most magnificent location and a great experience, particularly in the summer, as long as you get there early and get your shade hat on. These are really important things. Then of course we go up to those group 1 events: the Melbourne Cup, the Cox Plate, the Caulfield Cup, the Australian Cup, the Newmarket Handicap, the Lightning Stakes – the list goes on and on. But to my point, integrity is really important. Participation is important, animal welfare is vital and we support the restructuring of the greyhound industry and harness industry. These are really vitally important parts of our communities.

Finally, as I may or may not have more time to speak on this in the future, I come from a racing family. Indeed, my grandfather's cousin was Bill Collins, the Accurate One. The story is that growing up around Trafalgar many, many years ago, he used to call marbles racing down the upturned table. He really honed his skills on anything that he could, but that was the passion. The Collins family ran ponies as well as racehorses. Now it has changed, and the Baths certainly do not do that these days, but it is very connected to country, connected to the communities and the towns that many Australians and Victorians grew up in.

I thank Tim McCurdy for putting forward these amendments. They are very simple amendments, just omitting some of the introduction: clauses 7 to 10 in part 3. And with that, I wish the bill a speedy passage.

Georgie PURCELL (Northern Victoria) (15:53): I rise to speak on this Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026. I want to state from the outset that I will be opposing it, not necessarily because it is the worst bill but just because I think the only legislation that we should be passing through this place in relation to racing industries is shutting them down or at least defunding them.

To begin, I want to tell a story. On 23 March 2023 a dog called Max Nipper collapsed and died after his race at Warragul, with an autopsy to be conducted. On 24 March 2023, the very next day, the Victorian Racing Tribunal found Danny Macdonald guilty of administering a banned product on 29 May 2022, which was meloxicam, to a greyhound – none other than Max Nipper. There is a loophole in the racing rules which allows participants to continue to participate until their hearing date, even if the case they are before the VRT for is for cruelty or for doping, as it was in this instance. Due to the VRT backlog, this can be up to and over a year in many circumstances and of course has worsened over time, depending on circumstances. So just to recap: a dog died on the track, and the next day the trainer was before the VRT for a doping incident a year earlier on the same dog. I found it highly suspicious that the hearing was conducted the day after his death, and the VRT stated in their decision that they accept that the meloxicam probably arose from the use of a gel used to track the dog in respect of an injury, probably a fungal condition. One of my favourite things about the Victorian Racing Tribunal is the colourful excuses that they accept. We have had a dog test positive for cocaine after someone gave them a pat as they walked down the street, and certainly just recently a trainer had his penalty reduced for sending me sexist abuse because he was 'of good character'.

On 24 August 2023 Greyhound Racing Victoria refused to provide the autopsy, when it was requested, to the Coalition for the Protection of Greyhounds, so I lodged an FOI to obtain it, as I often do. Then on 16 November 2023 GRV gave the decision to not disclose the autopsy, and they claimed it would 'hinder, impede, damage, undermine or derogate from the proper or appropriate administration of the law', that the information is confidential and that disclosure would be contrary to the public interest.

Of course on 20 November 2023, four days after that decision, I requested a review of this decision. On 19 December 2024 the commissioner ruled in my favour and said that GRV had to disclose the autopsy, as disclosure would not be contrary to the public interest, and said:

I consider there is a public interest in the agency being transparent about how it handles its investigations into greyhound deaths.

The commissioner refuted GRV's claims in their reasoning to not give me the documents. Then on 23 December 2024 GRV submitted an application for review of the decision, and on 30 December 2024 I found out that GRV was taking me to VCAT. This was a significant period of time when I simply wanted to know why a dog that had tested positive for a prohibited substance subsequently died on the track. Of course this is, I believe, a tactic by the greyhound racing industry to draw out the interest so that by the time I get my hands on those documents enough time has passed for people not to care about it. And of course what a surprise: on 4 March 2024 we had a directions hearing, and then on 6 May 2025 GRV withdrew its application and they released the autopsy report. I of course got the documents that I requested but almost a year and a half later.

What I found most interesting about this particular case was that GRV, despite having their own in-house counsel and legal team, actually retained specialist FOI lawyers to deal with the case. So I lodged an FOI to find out how much they spent on FOI lawyers, and of course they rejected that as well and that case is still ongoing. But I speak about that because, at the time, GRV were actually running at a loss and had recently only survived the year due to an emergency support payment from the government to get them by. Yet we see them using taxpayer funds to fight a member of Parliament through various different processes to hide whatever is going on to those animals in these industries.

I tell this story for a point: because this legislation, it seems unintentionally, will result in GRV no longer being able to be FOI-ed. When Racing Victoria moved to a similar structure to this, the government specifically put them in the Freedom of Information Act 1982, but that is not the case for the new entities in this legislation. I will be pursuing this further in committee, and I am hopeful that we can get a commitment on what is seemingly an oversight from the government and, ideally, from the opposition, so that no matter who comes into government, we will not have even more secrecy from our racing industries than we already do.

Over the years we have heard the racing industries talk about just how much they love their animals. We hear that they love their dogs and they love their horses. But we also recently saw GRV, one of the entities in this legislation, cut –

Business interrupted pursuant to standing orders.

Jaclyn SYMES: Pursuant to standing order 4.08, I declare the sitting to be extended by up to 1 hour.

Georgie PURCELL: We saw one of the entities in this piece of legislation, GRV, cut welfare jobs in order to save money, while telling us that they love their animals. I can go through many of the reasons why I think racing is bad. I talk about it in here all of the time: the gambling culture, alcoholism, consumerism and the fact that family violence incidents increase on major race days, putting crisis services through the roof.

We can change the laws as much as we want to, but it is clear that animal racing has had its time. We only need to look around the world, particularly when it comes to greyhound racing, to see that in action. In fact just earlier this week we had a chartered flight of dogs arrive here in Australia from New Zealand, where they have recently shut down the racing industry. Australia refuses to get with the times like everyone else and insists on continuing this blood sport in our country. We have seen Tasmania do the right thing, but unfortunately we have Labor pushing up against that ban. As a result of Australia's refusal to listen to the people who do not want to see dogs die for gambling profits, we are receiving the animals from the industries as they close. We are having trainers move here. It is

incredibly shameful that we have become known as the place to come to if you want to continue to race dogs, as other countries say this has had its time.

I was looking at some of the comments from the lower house debate, where speakers lined up to talk about this bill, and we heard some great comments about self-regulation and social licences. One member described the racing industry as sexy, another called it terrific, and someone else called it an industry that cares so much about the dogs. Yet I stand in here every single sitting week and read out the injuries and the deaths and the destruction that have happened since the last sitting week in the greyhound racing industry, and there do not seem to be many members of Parliament, besides those on the crossbench, who want to hear the truth about what is happening behind closed doors or on a live stream at a racetrack. I will talk about live streams soon, because you could be forgiven for not knowing about them as it is another form of secrecy and a cutting of transparency that the industry has recently started engaging with – the editing and cutting of race footage before they upload it back online after a death or injury.

I have heard many comments similar to those on the Outdoor Recreation Victoria Bill 2026 from a number of MPs claiming that this bill is the result of the Silver review. We have some similarities to it here, but certainly this is not what Silver recommended. This claim is certainly misleading, because it would seem that the government has been told to do this in order to save money and to ensure that our services and our regulators are running it in the best possible way. But Silver actually recommended that the government merge the commercial functions of Racing Victoria, Greyhound Racing Victoria and Harness Racing Victoria under the one entity and separate and merge their regulatory functions. This is something that I would have supported, and I am sure many others would have supported, because it would have ensured that regulators are focused only on regulatory activities rather than also providing commercial racing. This is the second piece of legislation where we have seen, I guess, a colourful extension to what Silver recommended, resulting in a model that is arguably worse and can create conflicts of interest and expose bodies to regulatory capture.

It is completely unacceptable that Victoria's racing bodies are charged with the promotion of racing while being given the responsibility to regulate it – something again that I have been speaking about in here consistently. When this is the case we know – history shows – that it is the animals that ultimately pay the price, because the same body that is responsible for their welfare is also responsible for ensuring that the industry maintains good public perception. It is incredibly disappointing that the actual recommendation from Silver is not the piece of legislation here before us today.

The greyhound racing industry often talk about the fact that they are transparent and have the highest welfare standards and that deaths and injuries are going down. But as of GRV's last annual report, they had their highest kill rate in four years. In fact 450 dogs were killed, and that is 28 more than the year prior. Part of the reason that we know this is because, as members may recall, in 2024 I moved and passed a motion in this place that required GRV to be more transparent in its reporting, because what we quickly learned is that the figures being presented to us were not actually the reality of the racing industry. For those who are not familiar, a dog death is only considered a dog death while racing if that dog dies then and there on the racetrack. If a dog breaks their leg and leaves the racetrack and is euthanised an hour later, that is not a racing death. If a dog sustains another injury and the owner tries to rehabilitate it and they die a week later, that is not a racing death. We knew that we had to extend the period in which this data was captured and recorded – which was within 10 days of a race, training or trial – to be reclassified and included in this data. Certainly what we have found with the many amazing volunteers who track these dogs and see their outcomes is that there are actually far more dogs who are dying from racing related injuries, just not on the racetrack. And then we will hear the racing industry say, 'Deaths are going down.' It is incredibly misleading; in fact it is completely cooking the books, because they are only talking about the ones that die then and there and they are not including those that still die as a result of racing.

As we move forward in this debate, I am sure we will hear many members talk about just how great these industries are. They receive taxpayer funds, and at the very least they should be accountable to

the public and this information should be available to them. This is why it is so concerning to see that the freedom-of-information requests will not be included in this legislation, especially since so many people like me have relied on this information in order to expose the truth, tell the real story, hold the industry to account and ultimately achieve greater welfare outcomes. That is something that has been of significant concern to stakeholders who have reached out to me wanting a guarantee that this will be something agreed on by all parties who could potentially form government by the time these entities have fully formed.

This bill makes some changes to the racing integrity commissioner, which I do want to briefly speak about, for a more streamlined and strengthened structure to address systemic integrity issues. The role of the integrity commissioner is important, particularly for an industry like racing, which is riddled with integrity problems. The current commissioner is Terrie Benfield, and Ms Benfield has been in the role for a bit over a year now. Prior to that, she spent nine years at Greyhound Racing Victoria as general counsel and strategic adviser to the board and CEO. She particularly stands in contrast with the last several integrity commissioners whose backgrounds were in integrity and oversight in other sporting agencies. There seems to be a theme of regulators and oversight agencies having direct ties to what they are expected to regulate and oversee. Again, this is something we spoke about consistently in the ORV debate. It is concerning to see that this is becoming a bit of a trend and is part of the reason why so many Victorians are losing faith and trust in the racing bodies and the words that they say to the people of Victoria.

I am not claiming at all any kind of wrongdoing on the commissioner's part. While attempting to get an understanding of this bill, the commissioner was very generous with her time to my office. But again, that is coincidental for the person that could go into that role. When the industry self-regulates and the person charged with ensuring integrity systems and policies are adequate was a year ago an influential part of developing those systems and policies, it is no wonder that nothing changes when it comes to welfare, integrity and all of the many things that are making so many Victorians turn away from animal racing.

This bill shifts GRV and HRV to be not-for-profits. The irony is on their own they actually could not earn a profit even if they wanted to. We have seen that in Tasmania, where there is a big public debate about the fact that greyhound racing is going to be banned. Concerningly, as was the case in New South Wales, but actually shamefully, we are seeing the Labor opposition fight against that legislation while the government attempts to do the right thing by the dogs in Tasmania. They have seen the writing on the wall and acknowledge that dog racing has had its time. Nobody wants to see animals die for gambling profits. But that actually came about not because the government committed to banning greyhound racing but because they just said, 'We're just going to stop giving them taxpayer money,' which seems pretty reasonable. Let them stand on their own two feet. I know that is a view that Mr Limbrick has. It is not necessarily any sort of ethical view on the racing industry, but if they think that they have a social licence or a belonging or a place in our state, they can get by themselves. Certainly that is something that I agree with. As Ms Copsey said, we have so many services that desperately need funding that are not receiving that, yet the racing industry is continuously gifted taxpayer funds. In fact over recent years we have seen a number of Treasurer's advances or emergency support payments given to these racing industries on top of their usual public funding. Both of these entities in this legislation have actually recorded deficits in the past few years and both require heavy subsidisation by the government. GRV alone will actually cost the state half a billion dollars to run over the next decade.

I have said a lot about greyhound racing, although I am aware that this bill also has changes in relation to Racing Victoria for the thoroughbreds and of course harness racing as well. Certainly while over the past term of Parliament I have had a lot more focus in the greyhound racing space, the horseracing space is no stranger to me either. In fact when I was 19 or 20 years old I started volunteering for the Coalition for the Protection of Racehorses as part of the campaign to end jumps racing in Victoria. Now I am here as a member of Parliament at 34 years old, and Victoria is shamefully the only state in

the entire country that continues racing horses over hurdles at breakneck speed, which is actually 20 times more dangerous than flat racing. We have seen South Australia end it, which was the only other state in recent years, and Victoria is hanging on for dear life. It is one of the most appalling forms of racing. Over the time I have seen horses with dangling broken legs and broken necks. In fact a few weeks ago a horse fell over a jump and landed with such force that they died on impact. Yet the government has continued to insist on, I would say, keeping jumps racing, but it seems more like they do not want to ask Racing Victoria to do something. Racing Victoria have to decide to do it on their own, which I think really shows the relationship between the government and our racing industries. They say they are there to regulate them, but they are actually there to be their friend. If Racing Victoria decided they wanted to do something – ‘Hey, free tickets.’ I will never forget when my former boss first got elected here. One of the first things that came in the mail was a Racing Victoria membership, which of course we sent back and said, ‘Never write to us again.’ However, it just really demonstrates that cosy relationship, because the government should be there to tell the racing industry when something is no longer in line with community expectations or the views of Victorians and it is time to legislate away from it.

In fact a couple of years ago I stood with the former Minister for Racing Rob Hulls, who joined me in a press conference to say jumps racing must end. It was after the most deadly day we have had of jumps racing in our state, where three horses died at the one meet and two jockeys were seriously injured. Racing Victoria of course, because the government did not want to do anything, said ‘We’ll have a review.’ They had that review. Of course the review came back and they said, ‘No, we’re just going to make some changes to the jumps.’ That is what happens every time they have a review. They put the jumps up. They put the jumps down. They make them collapsible. They make them brushes. Nothing works – the horses still die, they still get injured – and we go through this debate every single season. In fact I think the jumps racing season has just ended or is about to end this weekend, and we have seen a number of horses die. Importantly, I should say a number of those horses who have died have not died on the track in races; they have died in training and trials, so – much like what I was talking about with greyhounds – they do not count towards the statistics for the jumps racing season. It is incredibly deceiving.

The reason I want to talk about jumps racing is because it is a really clear example of how the racing codes have just become completely out of touch with so many Victorians, particularly younger generations, because they will not even do the bare minimum and ban jumps racing like everywhere else in the country. They will not act on the whip. They will not even have whip-free trials. We look around the world and see there are countries that have completely banned the whip, and yet we have one of the most public displays of animal cruelty happening in stadiums and on racetracks with spectators watching on, when if you did that same thing to a cat or a dog you would be facing charges under the Prevention of Cruelty to Animals Act 1986. Yet it is just part of how things are done in the racing industry.

We continuously have legislation come through this place that is designed in a way to help the industry or to make their lives easier, and we do not see any legislation that actually addresses the very many welfare concerns, including the fact that we do not have legislated retirement plans in any of the codes – not in thoroughbreds, not in harness racing and certainly not in the dogs. GAP, the Greyhound Adoption Program, which is a rehoming program for racing greyhounds in our state, has a 12- to 18-month waitlist. When we asked for something to be done about that – say, a breeding cap; if you cannot get your dogs into the rehoming program, maybe you should not breed so many puppies – they said, ‘No, no, no, no, no. We’re going to ask trainers to pay \$3000 to get in instead, so they can jump the queue and we can make money off it.’ What that has resulted in is that only the people who can afford to get into GAP – they jump the queue and pay to do it. Otherwise trainers are left with the choice of waiting 12 to 18 months to get their spot.

What comes with that is an animal that is a commodity and is no longer viable. They have to spend the money to keep them alive, often in racing kennel conditions – and ironically, a lot of those would

actually not be allowed as soon as an animal is no longer deemed a racing animal – and they fall into this grey area of transition between the racing industry and going into a home. What often happens in that case is one of the wonderful community greyhound rescue groups around the state, such as Gumtree Greys, Greyt Greys or Amazing Greys, gets a call from the trainer, and on the other end of the line they say, ‘Well, if you don’t take this dog, I don’t know what’s going to happen to them.’ It is actually the community rescue groups who are picking up the pieces instead of the industry’s own programs that receive substantial government funding, which is taxpayer money. Yet these groups that operate on donations and are run by volunteers are rehoming more dogs than the industry that claims to love them.

We look at bills like this when we do not have a breeding cap or a proper retirement plan in greyhound racing, and we look at horseracing. We all saw that distressing vision at knackeries and abattoirs across the country. Many years ago, when I was around 22 or 23 years old, I actually helped obtain some footage of a knackery, which has now closed down, just out of Melbourne. Up until that moment Racing Victoria had consistently told us, ‘There’s just no way that racehorses get slaughtered. It’s just not true.’ We were like, ‘Well, you breed a lot, and you’re not really telling us where they’re going.’ They just told us everything was fine, and of course we knew that was not the case. We got this vision of a broodmare that was on a stud breeding horses for the racing industry. It was absolutely horrific. It was on the *7.30 Report* along with vision of other horses, and then of course we saw it again four years later. The industry said, ‘No, there’s really nothing to see here. We’ve got it under control.’ We have consistently asked for a retirement plan for this industry that has so much money – it has an unbelievable amount of money, the horse racing industry; it probably spends more on the rose gardens at Flemington than it does on an actual retirement plan.

Their solution was to implement a program where, instead of sending their horse to a knackery or an abattoir, because that is a bad look for the racing industry, the trainers could call someone out and get their horse euthanised on the property, and Racing Victoria would help them do that. And then of course, much like the greyhound racing industry, when I asked for some information on the data from that program or some more information on the horses that have been euthanised through that program, they said that they could not give it to us for privacy reasons. Again, this bill is not necessarily the worst bill ever, but we are continuously doing things that benefit or potentially make things easier for racing industries, and yet we are not seeing any legislation come through this place that is addressing the really clear problems that exist within the three racing codes in our state.

I know that the opposition are moving amendments to remove part 3 of the bill, which sets out the functions and powers of Racing Victoria. This came at the eleventh hour, after what I presume was pretty intense lobbying from parts of the racing industry, who, as usual, seem to be pretty terrified about having clearly defined rules and powers. I find this interesting because every time – in fact I will probably open my phone after doing this and someone will have sent me an email saying, ‘Racing is the most regulated industry in our country.’ Well, this was going to put the regulations in the legislation and the racing industry are freaking out about it, and now it seems that this is going to be repealed, with the government’s support, which I find quite ironic because the bill establishes the functions and the powers and the structures to show that what they say is actually true and that they are potentially highly regulated. I do not agree with that, but it is putting it in legislation.

I found a quote when I was researching what is potentially going to happen here. It is:

There is an increasing public focus on the care and welfare of racing Thoroughbreds. The Social Licence which enables racing to continue in Australia is highly dependent on primary consideration for the welfare of the horse. Commitment to horse welfare by racing regulators is constantly being questioned by the community. The public will not accept any perceived or real mistreatment of a racing thoroughbred. Racing Victoria Limited (RVL) always takes its responsibility for the care of racing thoroughbreds very seriously. Horse welfare is considered an essential part of all current procedures and future planning.

And yet whoever it is that has pushed for this does not want to see that actually put in legislation.

I do also have some amendments. I do not have long left, so I ask that they are circulated now. I have 40 seconds on the clock, so I will speak to these amendments more when I move them. But these are some amendments that I believe will address some of the transparency measures or potential governance issues or conflicts of interest. It would be disappointing to not see the government or opposition support them if they go on a unity ticket on actually repealing some things that could restore whatever faith is left in racing bodies, and we can explore that later on in the debate. I will also be seeking strong assurances on the ability to FOI these entities, because that is an incredibly important part of the transparency of animal racing.

Jacinta ERMACORA (Western Victoria) incorporated the following:

I speak in support of the **Racing Legislation Amendment Bill 2026**, a Bill that strengthens the governance, integrity and long-term sustainability of one of Victoria's most important industries. And of course, particularly important in regional Victoria.

Racing is far more than a sporting pursuit. It is an industry that supports tens of thousands of jobs, underpins regional economies, brings communities together and contributes billions of dollars to Victoria's prosperity.

Racing now contributes a record **\$5.54 billion** to Victoria's economy, an increase of almost 18 per cent since the last report.

It supports more than **33,400 full-time equivalent jobs**, with almost half of that economic impact flowing directly to regional Victoria.

Direct expenditure has reached **\$3.9 billion**, with around **65 per cent occurring in regional communities**.

These are remarkable figures that reinforce what those of us representing regional electorates already know, racing is an economic powerhouse for country Victoria.

Behind those numbers are trainers, stable staff, jockeys, drivers, breeders, veterinarians, farriers, transport operators, hospitality workers, volunteers and countless small businesses whose livelihoods depend on a strong and sustainable racing industry.

The Bill recognises that continued success relies on maintaining public confidence in the industry's governance and integrity by delivering three key reforms.

Firstly, it establishes the **Racing Integrity Commission Victoria**, bringing together the functions of the existing Racing Integrity Commissioner and the Victorian Racing Integrity Board.

Secondly, it enables **Greyhound Racing Victoria** and **Harness Racing Victoria** to become public companies limited by guarantee, providing governance structures that are more contemporary, efficient and sustainable.

Finally, it makes consequential amendments to ensure these reforms operate effectively, including amendments relating to the Australian Grand Prix Corporation.

The centrepiece of this legislation is undoubtedly the establishment of the new Racing Integrity Commission Victoria.

Integrity is the foundation upon which every successful sporting competition is built.

Without public confidence in the fairness and transparency of racing, the industry's reputation and future are placed at risk.

Victoria has benefited from two independent integrity oversight bodies for many years.

The Racing Integrity Commissioner and the Victorian Racing Integrity Board.

Both have performed valuable roles in protecting the integrity of racing.

However, over time it has become clear that the responsibilities of these organisations have increasingly overlapped.

That duplication has created unnecessary complexity, confusion for participants and additional administrative burdens for racing's controlling bodies.

This Bill addresses those issues through a carefully considered reform.

It does not weaken integrity oversight.

It strengthens it.

The new Integrity Commission will preserve all the important integrity protections currently provided while creating a simpler and more effective framework.

Importantly, the Government has rejected calls to transfer all racing integrity services into a standalone government agency.

Instead, it has listened to industry, recognised where efficiencies can be achieved and developed a model that maintains strong independent oversight while reducing duplication.

It is worth noting that this work commenced well before the recommendations of the Silver Review.

These reforms are not about cutting costs.

They are about improving governance and supporting efficient accountability.

The new Integrity Commission will continue to oversee the Racing Integrity Commissioner while also assuming the advisory and monitoring functions previously undertaken by the Victorian Racing Integrity Board.

It will continue providing advice to racing controlling bodies on integrity matters, monitor integrity trends across the industry and consider disciplinary matters involving senior integrity staff.

Importantly, it will also become the body responsible for considering complaints regarding the Racing Integrity Commissioner.

That creates stronger accountability and appropriate oversight of the Commissioner's powers.

This mirrors arrangements already in place for many other independent integrity bodies across Victoria, including IBAC, the Victorian Ombudsman, the Victorian Auditor-General's Office and Victoria Police oversight arrangements.

The Racing Integrity Commissioner will continue to perform their existing investigative functions, while also serving as Chief Executive Officer of the new Commission.

Their audit powers will be expanded to allow greater examination of integrity policies, procedures and performance across the racing codes.

The Commissioner will also gain additional powers to investigate complaints raised internally by senior integrity officials within racing organisations.

Collectively, these reforms deliver a more streamlined system with stronger checks and balances.

The second major reform within this Bill modernises the governance arrangements for Harness Racing Victoria and Greyhound Racing Victoria.

Both organisations will become public companies limited by guarantee.

This provides a governance model better suited to the increasingly commercial environment in which they operate.

It offers greater flexibility, improved corporate governance and the ability to respond more effectively to future challenges.

These reforms are expected to reduce unnecessary ongoing administrative costs, allowing greater focus on growing participation, improving facilities and supporting racing participants.

As someone who represents Western Victoria, I see first-hand the value racing brings to regional communities.

Few events demonstrate that more clearly than the **Warrnambool May Racing Carnival** in my home town.

Each year the carnival attracts visitors from across Australia and beyond, filling accommodation, restaurants, cafes and local businesses throughout the south-west.

The carnival has become one of regional Victoria's premier sporting and tourism events.

This year's carnival generated an estimated **\$14.3 million** for the local and regional economy.

That economic activity flows directly into local businesses and supports jobs throughout Warrnambool and surrounding communities.

The Labor Government continues to back that success.

This year the Government invested **\$45,000** to upgrade facilities at the Warrnambool Racing Club, delivering improved and safer access to the judges' tower ahead of the carnival.

A further **\$20,000** from the Regional Racing Events Fund supported entertainment and temporary event infrastructure, helping ensure the carnival remains one of Australia's premier regional racing events.

The Government also invested **\$15,000** to support the Warrnambool Greyhound Cup, recognising the important contribution that greyhound racing also makes to the local economy.

These relatively modest investments often combine with club contributions and generate enormous returns in local communities.

They support local employment.

They attract tourism.

They strengthen local businesses.

And they showcase regional Victoria to visitors from across the country.

The Warrnambool Racing Carnival is much more than three days of racing.

It is part of the identity of the south-west.

It brings families together and celebrates the many volunteers whose hard work makes these events possible.

It also demonstrates the important role that racing clubs continue to play as community organisations.

In conclusion it's clear that for communities like Warrnambool, and right across regional Victoria, racing is far more than a sport.

It is a major economic driver, a source of local jobs and an important part of community and economic life.

The reforms in this Bill will help ensure the industry remains strong, trusted and sustainable for many years to come.

John BERGER (Southern Metropolitan) incorporated the following:

President, I rise today to contribute to the debate on the Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026.

Before I begin my remarks, I would like to thank my good friend in the other place, the Minister for Racing, for the work he is doing to ensure that the Victorian racing Industry can be sustainable and can continue to operate with integrity.

The reforms contained within this bill would improve upon the existing integrity frameworks currently in place within the Victorian Racing Industry to strengthen the industry and to help to maintain public trust in it.

We are very lucky to have such a strong racing industry in this state: it makes a significant contribution to cultural life in Victoria, as well as a contribution to our economy.

We rely on the racing industry to support more than 34,500 full-time equivalent jobs, to deliver more than half a billion dollars in annual tax revenue, and a \$4.7 billion-dollar annual contribution to our state's economy.

As with any large sector in the economy, with such large amounts of money and so many jobs at stake, ensuring that integrity and oversight systems are up to scratch and fit for purpose is essential.

People who work in the racing industry rely on integrity and oversight to ensure that their industry can remain strong and that they can know that their jobs are secure.

One way that this bill seeks to do this is through the creation of the Racing Integrity Commission Victoria, an amalgamation of the existing powers and functions of the Racing Integrity Commissioner and the Victorian Racing Integrity Board.

Such measures as reducing the number of public boards and bodies by amalgamating their powers into fewer, larger public bodies were recommended by the Silver Review.

Commissioned by the Victorian Government and carried out by Helen Silver AO, the Silver Review made recommendations for how we could create a more sustainable public sector without compromising on regulatory oversight or service delivery.

While this bill covers matters which are related to the Silver Review, it is primarily about strengthening integrity oversight in racing rather than creating savings for government.

The Silver Review made recommendations for how improvements could be made across the public sector.

This included the reform of our public entities, among recommendations relating to other areas as well.

These are important parts of the Carroll Labor Government's work in sticking to Victoria's fiscal strategy, in respecting taxpayer's dollars, and in continuing to deliver on the things that matter most to Victorians.

President, the Carroll Labor government remains committed to entities reform and is making changes to how our public bodies function across all portfolios and all areas of government.

In this case, it is two entities which both oversee the racing industry, and which are each responsible for similar functions, though nuanced differences do exist between them.

I would, however, like to take the time to emphasise that, while the Silver Review did recommend amalgamating these entities overseeing integrity in the racing industry, the decision to do so was actually taken before the review was announced.

This is because, while improving the fiscal sustainability of the public sector is important, these measures are primarily about creating greater clarity and reducing confusion relating to the responsibilities of each regulator.

When rules and responsibilities are unclear, the integrity of the industry can be put at greater risk.

It makes compliance more difficult, and it gives the regulators a mandate which is less clear.

President, this bill is consistent with the spirit and the recommendations of the Silver Review, which set out ways the government could make the public sector more sustainable.

However, even if these fiscal considerations had not been a factor, this bill would still be well worth passing due to the reforms which it contains helping to create a stronger integrity system in the racing industry, among other measures.

To explain the situation as it currently stands, and the similar functions of each of the bodies:

Currently, the office of the Racing Integrity Commissioner has the powers to audit integrity systems, to hear complaints about integrity matters, as well as broad inquiry powers.

This all comes as part of a role which exists to provide the industry, the government, and the broader public with the assurance that the industry is operating with integrity, and to investigate instances where standards of integrity were not upheld.

The Victorian Racing Integrity Board exists to oversee and advise on the functioning of integrity systems across Racing Victoria, Greyhound Racing Victoria, and Harness Racing Victoria.

This includes working with the various racing codes to review and advise on how integrity systems can be improved and what work can be done to better uphold the principles of integrity which these sports rely on.

By amalgamating and combining the powers of the office of the Racing Integrity Commissioner and the Victorian Racing Integrity Board, we are reducing public sector duplication of functions and increasing clarity for the industry as to which powers lie where.

It is true that these two boards have operated side by side successfully over recent years.

Nevertheless, we have judged that a more efficient system, a more rigorous system, and a fairer system can be achieved through bringing these functions under the umbrella of a new body, the Racing Integrity Commission Victoria.

Under the new Commission, while the actual functions of protecting integrity in racing will remain the function of the racing bodies, new powers will be given to enable the commission to better enforce integrity matters.

This includes greater auditing powers and broadening the commission's ability to investigate integrity-related complaints.

The bill also requires that the racing industry's controlling bodies must submit an annual integrity plan which can be audited by the Integrity Commission.

The Racing Integrity Commissioner will also undertake the duties of Chief Executive Officer of the Integrity Commission and will be required to consult with the Integrity Commission before utilising audit functions.

Another important area of reform being driven forward by this bill relates to the status of the governing bodies in the racing industry.

Currently, Racing Victoria is constituted as a public company limited by guarantee.

This has been the case since 2001.

This change was put into legislation back in 2001 so that Racing Victoria could function as an independent and accountable body to oversee and manage thoroughbred racing in this state.

This model has, altogether, been largely successful and is therefore, something worth replicating.

Greyhound Racing Victoria and Harness Racing Victoria, on the other hand, are not currently constituted as public companies limited by guarantee.

Instead, they are currently administered by statutory entities.

This bill would standardise the administrative and legal structures of Greyhound Racing Victoria and Harness Racing Victoria according to the model currently used by Racing Victoria.

Importantly, these new bodies will carry out the same functions as the existing statutory entities.

They will regulate their industries, they will write the rules of participation in their industries, they will uphold the integrity of their industries, and they will manage the commercial side of their industries.

Further, provisions are included within this bill to ensure that the transition from statutory entity to public company limited by guarantee is smooth and orderly.

This means that the existing assets, agreements, rules, practices, and board decisions of Greyhound Racing Victoria and Harness Racing Victoria will be carried over and will still apply under the new companies.

This will include all staff being carried over and retained on their existing pay and conditions.

President, these industries provide significant employment in regional Victoria, and we need to ensure that its model is fit for purpose.

Standardising the legal structures of Greyhound Racing Victoria and Harness Racing Victoria will allow them more flexibility to operate in response to their commercial environment, whilst also ensuring stronger accountability and transparency.

In doing so, this will create a more rational, simpler to manage system of racing industry governing bodies.

On top of the changes which this bill is making to governance, oversight, and integrity in the racing industry, through the changes being made to Greyhound Racing Victoria and Harness Racing Victoria, significant reforms are being made to the Victorian Racing Tribunal.

This will expand the eligibility criteria for who is able to sit on the tribunal to include other types of highly qualified legal professionals.

This will ensure that we can keep the tribunal functioning and that it does not need to be constrained by these strict criteria for who can serve as a deputy chairperson.

This bill proposes that former and reserve judicial officer from other jurisdictions should also be considered eligible to be appointed as a deputy chairperson.

It also would remove the requirement that all deputy chairpersons must be former or reserve judicial officers with extensive knowledge of a specific racing code.

Under the new arrangements, the tribunal would require that at least one deputy chair be a judicial officer, current or former, with the other deputy chairs being lawyers with at least 15 years of experience and knowledge about racing.

There are a number of considerations to make when assessing whether or not to make these sorts of reforms to the Victorian Racing Tribunal.

We need to ensure that those who sit on the tribunal are adequately qualified, and this bill does maintain very high standards who may find themselves being appointed to the position of deputy chairperson.

In this way, it is important to emphasise that these reforms are expanding the eligibility criteria rather than watering it down.

It is also critical that the tribunal be able to address integrity and disciplinary matters and appeals to stewards' decisions in a manner which is timely.

If these matters cannot be addressed in a timely manner, we risk the tribunal losing its authority and reputation within the industry and the enforcement of integrity standards being left weaker and less effective.

Another area covered within this bill are proposed amendments to the Australian Grand Prix Act 1994.

These amendments relate to the Australian Grand Prix Corporation's ability to host motor sport and other types of events.

This bill would expand the Australian Grand Prix Corporation's power to supporting facilities, services, and activities at motorsport events, to ensure that the experience can be as fulfilling and accessible as possible for fans of the sport.

It gives greater powers to the AGPC as relates to their ability to charge admission fees to events.

It also gives the AGPC greater rights as relates to advertising, sponsorship, and licencing.

The purpose of these reforms is to ensure that Victoria remains a competitive and attractive location where motor sport events can be hosted.

The Grand Prix has been one of the great major events in this state since 1996.

It gives locals a great race to look forward to each year.

It gave our economy a significant, \$323.9 million-dollar, boost to Victoria's GSP in 2025, more than \$3 for every one dollar invested by the state government.

It also helps to support our tourism industry, putting Victoria on the map for interstate and international visitors.

This helps to support more than 1,600 full-time equivalent jobs directly impacted by the Grand Prix.

President, Melbourne is the sporting capital of Australia.

Hosting the Grand Prix in Melbourne is about the important contribution which motorsport makes to our proud sporting culture.

It is also about the economic benefit which these sorts of major events create: more jobs and more economic growth.

By maximising and improving Melbourne's viability as a host city for the Grand Prix, we are maximising and improving the Grand Prix's ability to deliver economic benefit to our state.

It isn't just the Grand Prix which contributes to our state's sporting culture and tourism sector, it is our whole major events calendar which is making that contribution.

Keeping an event like the Grand Prix in Melbourne shows the world, shows business, and shows organisations looking for a host city for one of their events that Victoria is open for business.

In this way, keeping the Grand Prix in Melbourne helps to maintain our image as a great place to host a major event, whether it be a major sporting event, a major concert, or a major cultural event.

It also is a signal to business that Victoria's tourism industry is something worth investing in, because they can be confident that our major events calendar is here to stay.

When we give business the confidence to make these investments, we see a further impact on job creation and economic growth.

Overall, this bill introduces a handful of smart, pragmatic reforms to how our racing industries govern themselves.

We are amalgamating the powers and the functions of the Office of the Racing Integrity Commissioner and the Victorian Racing Integrity Board in order to action the recommendations of the Silver Review.

This will reduce state government duplication, saving the state money while maintaining the same high levels of governance and oversight.

We are modernising the legal structures of Greyhound Racing Victoria and Harness Racing Victoria, standardising them and bringing them into line with the structure already used by Racing Victoria.

We are introducing minor modernisations to the Victorian Racing Tribunal to ensure that the tribunal is fit and able to undertake its legal duties.

We are also introducing modernising amendments to the Australian Grand Prix Act 1994 to ensure that Victoria can continue to be an attractive and competitive location for hosting major events.

These changes are about keeping our industries strong, keeping our sporting culture strong, and keeping our sporting economies strong here in Victoria as well.

That is what this bill is about, that is what we propose to do.

Therefore, I commend the bill to the chamber.

Enver ERDOGAN (Northern Metropolitan – Minister for Finance, Minister for Casino, Gaming and Liquor Regulation, Minister for Government Services) (16:23): I thank everyone that has contributed to this really important debate on the Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026. From the outset I do want to acknowledge the work of Minister Carbin's office and his management and his work with stakeholders to come up with a bill that is focused on improving governance, trust and integrity across the sector. I want to acknowledge the shadow minister Mr McCurdy and also the Leader of the Opposition in this place Mrs McArthur for their work in working collaboratively to ensure that this bill continues the success of our racing industries.

We do have a highly successful industry, and we have heard in the debate about the economic contribution of billions of dollars to the state of Victoria, not just to Melbourne, not citycentric, but across the regions too – that was highlighted by Mrs McArthur, and she nods to that statement – and about the thousands of participants, employees and volunteers that directly work in this sector or directly seek enjoyment in this sector, which does provide a lot of important moments for many people.

It is a highlight, going to the races. It is a family affair. But the key to success is that social licence and trust in this industry, and that is why effective and efficient integrity and governance structures are important for that success. We were the first jurisdiction to establish a racing integrity commissioner in 2010; most states have subsequently followed our lead. The commissioner provides vital independent oversight of the delivery of integrity assurance by the racing controlling bodies. The Victorian Racing Integrity Board was established to strengthen integrity oversight by ensuring commercial considerations did not negatively impact the integrity delivery, and this bill before us builds on that work.

The important core function of the Victorian Racing Integrity Board will now be carried out by a newly established Racing Integrity Commission, which will incorporate the statutory Office of the Racing Integrity Commissioner. The commission's existing powers will remain largely unchanged but will be expanded to include a power to investigate a complaint by a senior member of an integrity staff of a controlling body in relation to integrity matters. This is a key power which ensures that commercial considerations do not negatively impact integrity delivery. The introduction of the integrity commission board will ensure the commission's performance also has appropriate oversight. We know that a focus of this bill is also on Harness Racing Victoria and Greyhound Racing Victoria, and we are transitioning those bodies from statutory entities to companies limited by guarantee. This will better align the structure of these bodies with the nature of the regulatory functions that they exercise. It is also important that the new bodies will operate in a manner that reflects the government's policy settings and is in line with community expectations, and that is why we will maintain the minister's power of appointing the board of these new bodies. This will provide the necessary assurance that they continue to adhere to best practice in government policy and community expectations and will be subject to government scrutiny as required.

I do note the contributions of all members, and I want to in particular single out Ms Purcell. I know she is quite passionate on these matters. Although we might not agree on many aspects of this industry, I do understand her concerns about transparency. She raised it in her conclusion in relation to matters about the importance of the Freedom of Information Act 1982 and for it to be applied to bodies that perform a public function. These new bodies will continue that public function. Racing Victoria is a company limited by guarantee that is prescribed in the FOI regulations. It is the intention, I can confirm, that when this body commences on 1 July the government will ensure they are prescribed under the FOI regulations as soon as practicable after they come into being so that they are covered by FOI. I think that is really crucial, and that is the way Racing Victoria set it up so it will be consistent across the different racing sectors. Additionally, the bill sets out specific requirements for the constitution of these companies, but the core objectives of each are essential to the proper management of their respective industries and the governance framework they will adopt. Once adopted, any special resolution to modify or repeal the constitution of one of the new companies must be notified to the minister, who must cause a copy of that proposed amendment to be laid before each house of Parliament. I think that is also crucial to that public accountability piece.

But in the interests of being succinct as we go into committee, it is important to state that social licence is crucial to the success of Victoria's racing industry, and that is what this bill is about: ensuring that the robust governance and integrity arrangements that we have are further strengthened to provide the necessary oversight for this industry. These are practical improvements to ensure that the racing industry, being such a big part of our economy and a big part of our visitor economy in particular and major events calendar for our state and our city, has the appropriate guardrails in place. I think this modernisation of the governance is key to maintaining people's trust and making sure that they continue to run successfully, as they have historically. These changes will ensure that Victorian racing continues to set the benchmark on integrity and governance. And on that note, I commend the bill to the house.

Council divided on motion:

Ayes (25): Ryan Batchelor, Melina Bath, John Berger, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt, Richard Welch

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

Motion agreed to.**Read second time.****Committed.***Committee***Clause 1 (16:36)**

Georgie PURCELL: Minister, to start off with, why did the government not implement the recommendation from the Silver review and choose a different model for the racing entities?

Enver ERDOGAN: I will note that the Silver review, Ms Purcell, was a DPC project but not necessarily from the Department of Premier and Cabinet. It was not an initiative of the portfolio minister in the development of this bill. Therefore I do not believe it is necessarily in scope for this legislation, but I am happy to get clarity on that.

Georgie PURCELL: The government has said it is an acquittal of the Silver review.

Enver ERDOGAN: Ms Purcell, I am advised that the work to amalgamate those bodies was already being worked on before the Silver review, but of course it is broadly in line with what the Silver review said in terms of consolidating a lot of entities and regulators. In fact the decision, or that path, was being considered before the Silver review.

Georgie PURCELL: Sorry, Minister, this has made me potentially more confused. The government said themselves following the independent review of the Victorian public service, commonly known as the Silver review, that the Victorian government implemented targeted structural and legislative changes to its racing entities to streamline public services. Just for clarification, this is not a result or an acquittal of the Silver review – this was a decision made by the government before the Silver review?

Enver ERDOGAN: For clarity, from my understanding – and I will seek further advice if I misspeak – the work was already underway. This work to amalgamate these two entities was underway before the Silver review. Of course the Silver review, I guess you could say, pushed along some of this work that was happening in the background around consolidation, but this particular work was underway before the Silver review.

Georgie PURCELL: I am still not sure it makes total sense. That is in contradiction to what the government said in relation to this bill. But that is fine; I am not trying to catch you out, Minister.

Enver ERDOGAN: No, it is good. I am trying to get clarity, I am telling you now, to get to the truth.

Georgie PURCELL: Apologies, this is one of the ones that I did not flag, but just to get an understanding: why not the recommendation from the Silver review to have one regulatory body for the three racing codes instead of three individual entities?

Enver ERDOGAN: Good question, Ms Purcell. From what I understand, and I am familiar with that recommendation, the issue here was that from a policy perspective there was concern that it would be highly complex to merge the three and also potentially more costly. Obviously, the goal of Silver was to find opportunities for savings and efficiencies. There was broader policy concern that it might be more complex and potentially more costly. Therefore the existing structure where the codes pay for that – a similar structure to what we have got now – we thought it was best to keep.

Georgie PURCELL: You led into my next question: potentially more costly or definitely more costly? Did the government confirm this, or was it just a vibe?

Enver ERDOGAN: I am advised that it would have been more costly. Not potentially – it would have been more costly.

Georgie PURCELL: Just to clarify: it would have been more costly to have one racing regulator for the three codes, as opposed to the three entities of Racing Victoria (RV), Harness Racing Victoria (HRV) and Greyhound Racing Victoria (GRV) operating separately?

Enver ERDOGAN: To the government, yes, because currently the codes pay for that function.

Georgie PURCELL: Can I see that information? Can you take that on notice?

Enver ERDOGAN: I will take that on notice and see what information we can provide in relation to those matters.

Georgie PURCELL: I am just genuinely interested because I think it is a good model to regulate, of course taking the promotional powers away, but we have canvassed that extensively in here in recent times. Can the minister confirm – you did mention this in your sum-up, but just out of an abundance of caution – that these new entities will be declared a prescribed authority in the FOI regulations to ensure GRV and HRV will continue to be subject to FOI as they are now?

Enver ERDOGAN: Yes, I can confirm that is the intention of government and a commitment. For the record, it is a commitment of government that the bill provides that the transition from the current Greyhound Racing Victoria and Harness Racing Victoria to the successor companies will occur no later than 1 July 2028. As part of that transition process the government will ensure that the Greyhound Racing Victoria and Harness Racing Victoria successor entities are prescribed under the FOI regulations as soon as practicable after the new bodies come into existence. That is a government commitment.

Georgie PURCELL: Minister, I appreciate that commitment. It is a big risk to take that our racing codes might not be FOI-able if you do not come back into government. Has any consideration been put into that or other protections to ensure transparency in the racing industry?

Enver ERDOGAN: Racing Victoria is governed that way currently, so I think it is bringing them into line. Hopefully there is no change of government, but if there is, I am sure, looking at the Leader of the Opposition in this place, that they would want to have that consistency. It is a quality assurance mechanism. They are ultimately doing public functions, and therefore that FOI oversight is an important one, and that is why we have got it in Racing Victoria. I would expect that if there is a change of government, they would also bring this into fruition.

Georgie PURCELL: Given that this bill will also facilitate the transfer of property to GRV and HRV, how does the government justify the handing over of publicly owned assets on top of the tens of millions that taxpayers already provide to racing each year?

Enver ERDOGAN: I think there may be a bit of a misunderstanding. My understanding is that the assets in question have previously been purchased by Greyhound Racing Victoria and Harness Racing Victoria using revenue generated by the racing industry, so they are the existing owners. These bodies receive grant funding and a share of wagering taxes but are not base funded by the government at all. Our view is that we are just transferring over their existing assets.

Georgie PURCELL: On government funding, since that was raised, what does the government give to the racing codes? How many times in the past few years have the bodies received an emergency support payment or Treasurer's advance, and if so, how much and to who?

Enver ERDOGAN: I do not have that level of detail. I am wary of talking about funding because, as you would appreciate, the funding and decisions are matters for the Treasurer. Some of the tax settings that I know have been raised in debate are better questions for the Treasurer. I do not have that level of detail before me.

Georgie PURCELL: I am not sure that is totally correct. The Treasurer is certainly not the one who has been there at the events where funding has been granted to the industry. I am not sure I accept that as a reason to not answer it. I am happy for it to be taken on notice, otherwise I can ask it in a different way.

Enver ERDOGAN: Like many industries, there was some support during the pandemic, but I know that the industry is quite sustainable in terms of its practices and the revenue it generates. I might go to the box.

Georgie PURCELL: Can I clarify quickly? I am aware of pandemic funding, so perhaps just since this term of Parliament.

Enver ERDOGAN: Okay, yes.

I understand that the codes do share in their annual reports the government grants they receive, but I am happy to take it on notice so it can be answered more fulsomely by the minister.

Georgie PURCELL: Just for clarification, grants, yes, but I do not think they publish Treasurer's advances or emergency support payments, so more clarity on that would be great.

Enver ERDOGAN: I will take those two on notice.

Georgie PURCELL: What consultation was undertaken in the development of this bill?

Enver ERDOGAN: The consultation in relation to the development of the bill was with the bodies to which the amendments apply, namely Greyhound Racing Victoria, Harness Racing Victoria, Racing Victoria, the Victorian Racing Tribunal, the Racing Integrity Commissioner and the Victorian Racing Integrity Board. I understand that is where the consultation was focused.

Georgie PURCELL: Did the minister consult with any animal protection organisations, such as Animals Australia, the Australian Alliance for Animals, the Coalition for the Protection of Greyhounds, the Coalition for the Protection of Racehorses or the RSPCA, during the development of this legislation?

Enver ERDOGAN: The answer to that, Ms Purcell, is no. I think the minister was of the view that the bill deals with the entity and governance structures of the existing bodies and that each of these bodies will continue to perform the same substantive role, and therefore the consultation was limited to the bodies directly affected.

Georgie PURCELL: Can the minister guarantee that Greyhound Racing Victoria and Harness Racing Victoria will continue to publish their annual reports online?

Enver ERDOGAN: Yes. Under the Corporations Act 2001, Commonwealth legislation, they are required to publish annual reports.

Georgie PURCELL: This bill means that they will not be required to table those reports in Parliament, which is an important transparency measure. However, I believe the minister can direct them to do that. Will the minister direct them to table them in Parliament?

Enver ERDOGAN: I will need to take that question on notice about whether we will be able to.

Ms Purcell, I understand the minister's remit will retain the power to direct them to publish their reports but not necessarily to table them in Parliament.

Georgie PURCELL: Can the government table it in Parliament themselves?

Enver ERDOGAN: I will need to take that one on notice. I think we are getting a bit into the technical details.

Georgie PURCELL: That would be great if we could get an answer on if the government will still table it. Minister, will GRV continue to publish the data recently agreed to as a result of a motion that passed in this place in October 2024 that allowed for more transparency in greyhound racing?

Enver ERDOGAN: Yes.

Georgie PURCELL: Will the Minister for Racing continue to have the ability to direct GRV and HRV to include anything further in their annual reports?

Enver ERDOGAN: In short, yes, and the companies will also have to meet extensive reporting obligations, as in the Corporations Act; that is for not-for-profit public companies limited by guarantee. And there is a whole section, section 300B, in the Corporations Act which states that each company's annual director's report must contain a description of the short- and long-term objectives, set out their strategy, set out their principal activities, state how those activities assisted in achieving their objectives and also have some key performance measures in there as indicated. Racing Victoria is a not-for-profit public company limited by guarantee and each year publishes its annual report and presentation on its website. The expectation is that Greyhound Racing Victoria and Harness Racing Victoria will have to publish their reports in that similar fashion.

Georgie PURCELL: How will the government ensure that GRV or HRV as corporations provide the public with information about deaths, injuries, breeding rates, rehoming rates, monitoring and compliance actions and disciplinary actions?

Enver ERDOGAN: The minister will continue to appoint the board and will require them to publish that information that they provide currently.

Georgie PURCELL: Minister, if GRV or HRV decide to reduce the amount of public information they provide, how will the Victorian government compel GRV or HRV to continue to publish this information?

Enver ERDOGAN: I think ultimately it will be the minister that appoints the governance board; therefore you could say if they were not publishing reports, the government has stated it is a clear expectation that they do, and I think we know what happens to boards that effectively do not align their values with the government – the board would be replaced.

Georgie PURCELL: If GRV or HRV decide to water down guidelines and local racing rules, how will the minister or the Victorian government stop them from doing so?

Enver ERDOGAN: I think ultimately these are independent entities, but the minister, having the power to appoint the board, would obviously be setting expectations. Usually when the government and the minister set expectations for such a public entity, the entity will take that on board, especially when social licence is so crucial. I do not see this industry trying to hide this data; I know there is a lot of scepticism by some. I think it is in their own interest, for their social licence, to publish and report this information.

Georgie PURCELL: Minister, I appreciate that, let us say, information, but my question was about racing rules. These are the rules that apply to the different codes. I actually talk a lot about their own rules for self-regulation. I often speak about the fact that greyhounds are governed by a code of practice and the rules of racing when they are racing and then when they are dogs in a home they are under the

Prevention of Cruelty to Animals Act 1986. So my question is: what powers does the government have if any of these entities changes their rules of racing?

Enver ERDOGAN: As it stands, they are responsible for the rules of racing. Therefore this bill does not change that dynamic; they will still be responsible for setting their own rules independently. But as I stated in responding to earlier questions, if something did not pass the community's interests, I think it would be in the sector's own interest to do something or change the rules in a way that affects their social licence.

Georgie PURCELL: That is absolutely correct, but there is an amendment that would remove part 3, which makes the rules of racing part of the legislation. That would mean that they presumably cannot just change them themselves or set them themselves. So my question is: in the event that part 3 is struck out of the legislation, what power will the government have to intervene if they do change their rules of racing?

Business interrupted pursuant to standing orders.

Enver ERDOGAN: Pursuant to standing order 4.08, I declare that the sitting be extended by up to 1 further hour.

Ms Purcell, currently Racing Victoria have powers to make their own rules, and the government does not see that it is that controversial – we are just putting it into the act expressly, but they already have these powers.

Georgie PURCELL: I understand they already have these powers, and perhaps I am interpreting this wrongly, but by putting them in legislation, which might not be the case pending an amendment we will vote on soon, could they still change them without the legislation changing?

Enver ERDOGAN: Yes, they could.

Georgie PURCELL: Am I correct, though, that only through legislation will these rules apply to every participant in the racing industry?

Enver ERDOGAN: No.

Georgie PURCELL: It is my understanding – in fact I think in something I read from the government – that it changed in the legislation who was subject to the rules of racing. Can you clarify the purpose of putting the rules of racing binding on certain persons?

Enver ERDOGAN: I think it was just to clarify Racing Victoria's existing powers and functions. That was the goal, not to change the status quo.

Georgie PURCELL: Just to completely clarify: the rules of racing are binding on all participants of all three codes, regardless of if they are in the legislation or not?

Enver ERDOGAN: Yes.

Georgie PURCELL: That is very helpful. Minister, regulatory models that place responsibility on the regulator to both look after the commercial interests of the regulated sector and monitor and enforce compliance are avoided in other areas of government regulation. What assurances can the Victorian government provide to Victorians that under the proposed legislation GRV will become a more effective regulator of greyhound racing?

Enver ERDOGAN: I think that it will be the role of the racing commissioner to ensure that there is no undue commercial influence in terms of its functions, but also I think this is about creating a broader power. It will be up to the new racing commissioner to ensure that it demonstrates how it operates and to make sure that it can operate impartially.

Georgie PURCELL: The proposed legislation further facilitates commercial and marketing aspects of GRV's responsibilities. What mechanisms does the Victorian government have to prevent GRV from favouring commercial considerations over regulatory considerations?

Enver ERDOGAN: That will be the responsibility of the racing commissioner. It will be their job to make sure that these commercial interests do not stray from their proper purpose.

Georgie PURCELL: What does the minister consider to be the necessary skills and experience for board membership in Harness Racing Victoria and Greyhound Racing Victoria?

Enver ERDOGAN: That is a really good question. As minister, there are a large number of boards and committees I appoint to, and the skills matrix needed for each board will vary. It will vary depending on the state of the entity. If it is a new entity, you might need different skills. If it is a developed industry, you might need a different set of skills. The skills and experience required for the board will vary from time to time to maintain flexibility, but the appointment process will include consultation with the entity chair about the organisation's and board's needs.

Consideration should also be given to the skills that are required on the board versus the skills that are required in an executive team. I think there is no hard and fast rule. It depends on where the entity is at, what their needs are and what their challenges are. We see that from time to time with changes in boards. You might bring in a subject matter expert, an industry expert. Sometimes you just need someone that is focused on the performance of the board at that time. It is really hard to say and to gaze into the future of what these entities will need in the longer term.

Georgie PURCELL: I just want to go back to your previous response, because I do have an amendment in relation to this. You stated that it would be a matter for the racing integrity commissioner to ensure that GRV is not favouring commercial considerations over regulatory considerations. In my second-reading speech I spoke about the fact that the racing integrity commissioner – who is a lovely person and very helpful, and I do not suggest any wrongdoing in any way – was the general counsel for Greyhound Racing Victoria for nine years and then went into a role as the racing integrity commissioner. I have an amendment that puts a time limit between these kinds of roles – from operating within the industry to then taking on such a role. What is the government doing to avoid these conflicts of interest? Why aren't there currently any protections in the legislation? And further, how can you be confident that they are not going to favour commercial considerations over regulatory considerations if these protections are not in place?

Enver ERDOGAN: This legislation introduces a board. The racing integrity commissioner is expected to act independently of the board in the conduct of inquiries. However, they must be accountable to the board in terms of ensuring the exercise of its functions. There is a board that this commissioner will report to: a five-person board. The work of that board will be to hold the commissioner to account for their duties.

Georgie PURCELL: I understand the accountability to the board and the expectation, but how can the minister be confident, without anything specifically in the legislation, of avoiding those considerations? We canvassed this in Outdoor Recreation Victoria, actually, where we had protection in the commercial fishing industry and then not in the commercial game hunting industry. There was a period of time in which you could be in the commercial industry and then on the board, for example. But none of those exist in this. I understand the expectations of the people who take on these roles, but how can you be confident, and what is there to ensure that?

Enver ERDOGAN: I understand that the board appointments in particular would be subject to cabinet processes, which do have robust probity measures in place. Therefore if people did have any commercial vested interests, I think they would be found or would have to be declared through that process, so I think there is that integrity. Obviously the people that carry out these roles understand that they need to act properly. Like many roles, they are positions of trust. If someone does the wrong thing, then yes, they will probably get caught out, to be frank. You gave an example of someone with

general counsel experience. People in the legal profession have an added duty to the court to act responsibly, especially when it comes to matters of trust.

Georgie PURCELL: I appreciate the explanation. The other area I am keen to know more about, noting that those measures will be in place, is why there is not a time period between the two, but in the interest of time we can canvass that when we come to my amendment. Beyond the examples listed in the bill, what is included under the racing integrity commissioner's function of conducting racing integrity related audits?

Enver ERDOGAN: The bill does not provide an exhaustive list of examples, so as to not unnecessarily narrow the scope of the matters which can be audited by the racing integrity commissioner. We have deliberately kept it broad. The examples provided in proposed new section 37FA(1) of the Racing Act 1958 make it clear that there is an expectation that the commissioner may audit matters related to animal welfare policies, procedures and plans. This is, in our view, a broader power than the current section 37BA, which limits the racing integrity commissioner to auditing matters relating to animal welfare systems and processes to the extent that they relate to integrity in racing. An example is animal welfare policies, procedures and plans, so they can audit those as well. That is just one example in the bill, but we have not created an exhaustive list. If the commissioner thinks that something else is crucial to look at, they should have all the powers.

Georgie PURCELL: Just to get it absolutely confirmed in *Hansard*, can you confirm that animal welfare related audits and inquiries will continue to be included?

Enver ERDOGAN: Yes.

Georgie PURCELL: Does this include policies regarding gambling harm reduction – the integrity commissioner?

Enver ERDOGAN: In relation to gambling harm reduction or integrity relating to gambling, we have the Victorian Gambling and Casino Control Commission. It does not fall within this bill.

Georgie PURCELL: Why does the racing integrity commissioner not publish reports on all inquiries conducted by them?

Enver ERDOGAN: I feel this is a question best addressed to the independent Office of the Racing Integrity Commissioner. It is probably a question that should be directed to the racing integrity commissioner.

Georgie PURCELL: Why has the commissioner not published a report since 2023?

Enver ERDOGAN: I think it is similar to my answer to the previous question. I think this is a question for the racing integrity commissioner, and we should be directing this question to them.

Georgie PURCELL: Is it concerning to the government that the commission rarely publishes its reports? We have just had an in-depth conversation about the faith and trust being put in them. Does the government have any power to? I am presuming not. Are you concerned, and are you going to do anything about it?

Enver ERDOGAN: Yes, Ms Purcell. It is important and we do value public reporting. I think the more public reporting, the better in this space. Nonetheless this is an independent office of the integrity commissioner and there are no powers to compel them to report that information.

Georgie PURCELL: Is it appropriate to be moving forward with this process? We have just had a long discussion about the importance of the racing integrity commissioner and their work and why all these decisions are made surrounding racing. Is it concerning to the minister that they are not publishing their reports or have not published a report for three years?

Enver ERDOGAN: I think we would welcome more public reporting. I think that goes for a whole bunch of agencies. The more public reporting and the more information in the public domain, the better.

Georgie PURCELL: I am going to try and move through these quickly. I am aware we have to vote at 6 to extend, if we get there. To confirm: there will be no changes to the whole-of-life tracking of greyhounds and what is reported under that as a result of this?

Enver ERDOGAN: Yes, I can confirm there will be no change.

Georgie PURCELL: Will Greyhound Racing Victoria continue, as a general rule, to publish footage of greyhound deaths and injuries, given that Victoria is currently the only state to continue doing so?

Enver ERDOGAN: I do not believe there is anything in this bill that would change the existing arrangements, but that would be a matter for Greyhound Racing Victoria.

Georgie PURCELL: Apologies, Minister, I am aware it is not in the bill. I can rephrase my question. If Greyhound Racing Victoria was to go the same way as other states and start removing the race replays where a dog is killed or injured, would the minister have the power to intervene to stop them doing that?

Enver ERDOGAN: The minister obviously appoints the board and would set their expectations accordingly. But ultimately, it is obviously for the body. Usually a lot of agencies and a lot of public bodies do have a statement of expectations. Therefore I would be really surprised, especially in the industry which you have identified whose social licence is core to their success, if they went down that path.

Georgie PURCELL: Just to confirm: if the greyhound racing industry is removing race footage, that is something that the government would have concerns about?

Enver ERDOGAN: Yes, I think we would, because our support for the sector is based on that social licence – on the trust and integrity of the sector. And so of course if they went down that path, I think that many in government would be very concerned.

Georgie PURCELL: Just while we are on this, potentially we could resolve an issue. We recently reported a practice called tail lifting on greyhounds across Victoria. That is when animals' tails are lifted, and it is a form of rough handling as they are put into the boxes before a race. We received a response from GRV that it is not encouraged or approved and that they would be undertaking training and speaking to participants. Following that we continued to capture tail lifting and reported it again. Now GRV no longer shows the boxing footage. We can only presume it is because they do not want us to keep capturing it. Is there the ability to have a conversation with GRV about this practice, given the comments you have just made about the expectations on them in relation to their social licence and the public duties they undertake?

Enver ERDOGAN: Ms Purcell, if you have got information or concerns, I am happy for you to forward them on to the minister's office. I am wary of commenting about unverified allegations in this chamber. But if you have got concerns, put them in writing for the minister's office. I am always happy to follow up.

Georgie PURCELL: We are certainly not trying to catch anyone out. I am just hoping we can resolve it, given those comments. We are actually trying to resolve it. It has been an ongoing issue, and I just noted that the minister stated the importance of ensuring that race footage is not removed. Would the minister be able to have a conversation with GRV to ensure that image of a whole race is not edited?

Enver ERDOGAN: We are kind of going off the scope of the bill and more into a specific incident, but I think in relation to that specific incident, what I can commit to is if you forward that information to the minister's office, I am sure they will look at it and consider it. But I do not want to get into individual cases today if that is possible.

Georgie PURCELL: It is certainly not an individual case; it is a routine practice. Every single race in Victoria now no longer shows the boxing footage. I just thought I might take the opportunity, given the comments prior. I have to say it does not give me faith in the strength of the prior comments. But certainly if there is a commitment for us to send that through to the Minister for Racing's office for it to be actioned, I would be more than happy to do that.

Minister, in most Australian states greyhound racing bodies publish quarterly greyhound welfare reports. Why doesn't this occur in Victoria?

Enver ERDOGAN: Ms Purcell, I understand this is one of your amendments, but I think that is a matter for Greyhound Racing Victoria to consider. Again, it is an issue that the minister's office is happy to take up with them and raise with them. But we do not support your amendment in this regard.

Georgie PURCELL: I understand the government does not want to legislate, as per my amendment, to have a quarterly reporting requirement, but will the government direct GRV to do so, in line with other states?

Enver ERDOGAN: No, we will not be directing them to do that, but we are happy to have a conversation with them about their reporting mechanisms, as the minister does from time to time.

Georgie PURCELL: Minister, can I receive a commitment then to being updated on the outcome of that conversation? I was hopeful that perhaps we could at least reach some sort of resolution on quarterly reporting.

Enver ERDOGAN: Yes, I am happy to take it on note and, when the minister next has the discussion, or the minister's office does, to give you an update on how those discussions in relation to that matter on quarterly reporting go.

Georgie PURCELL: I just have a couple of questions in relation to stewards. Are racing stewards required to undergo training in animal welfare, race integrity, governance or enforcement?

Enver ERDOGAN: I am informed that stewards do undertake training, and some of that training involves animal welfare concerns as well.

Georgie PURCELL: Are there any qualifications or experience required to become a racing steward, or is it training undertaken with the industry?

Enver ERDOGAN: I understand it varies between the codes, but there is what I would call certificate-level training.

Georgie PURCELL: Does the minister or the government have any input in how stewards penalties are determined?

Enver ERDOGAN: No.

Georgie PURCELL: In the event that stewards penalties were deemed to be consistently unsatisfactory or unsatisfactory in a specific circumstance, is there any ability for the minister to intervene and provide that feedback?

Enver ERDOGAN: Not specific intervention into an individual incident, no. If there was an individual incident, no. Giving feedback, the minister could always set the expectations with the appropriate bodies. But intervening on an individual judgement or decision, no.

Georgie PURCELL: Minister, that leads me to my next question, and I mean this intentionally. We often hear from racing participants and racing codes and racing industry representatives that it is the most highly regulated sporting code or has the best animal welfare standards, as is often said to me, in comparison to cats and dogs at home. Does the government agree with those statements, given there is no ability to intervene on the penalties for the rules of racing?

The DEPUTY PRESIDENT: Minister, I am not sure this is in the scope of the bill, but it is up to you if you answer.

Enver ERDOGAN: I do not believe it is in the scope of the bill, but more broadly, there are a whole range of independent bodies that are broadly public facing. It just would not be appropriate for government to get involved in every single decision. A lot of those bodies have their own mechanisms for dispute resolution and for disciplinary proceedings, and that is appropriate. Ultimately, I think the government sets broader policy frameworks and the minister sets broad expectations, but a lot of industries self-regulate and are able to successfully implement their procedures.

Georgie PURCELL: Just in relation to the comments on scope, the reason for my questions is there are clauses of the bill in relation to racing rules and to stewards, so I am just seeking some more information in relation to their relationship with the government, because it has previously been unclear. But just to clarify, is it the government's position that self-regulation is a better form of regulation than, say, animal protection laws?

Enver ERDOGAN: I think we are getting outside the scope. I think it just depends on the sector, but more so this is not about and/or. I think it is clear that a lot of industries have both. There are broad laws and there are specific laws. It is not possible to set legislation for every minute detail. Some of those are made through not even laws but regulations and even at a subject level – by-laws, for example, in a local government setting.

Georgie PURCELL: I understand that. This is often what happens when I talk about this. I am genuinely trying to get answers, so I will just move to where I am trying to get to. Racing animals are first and foremost subject to a code of practice and rules of racing, and that tends to be where any sorts of investigations or penalties or anything in breach of those is considered first. This can be taken on notice, but I do believe it is relevant to this legislation given it talks extensively about welfare. Every time I talk about racing codes being self-regulated, the response is the animals are subject to the Prevention of Cruelty to Animals Act. How many times has the Prevention of Cruelty to Animals Act been used instead of racing rules on any of the three codes?

Enver ERDOGAN: Thank you, Ms Purcell, for your question and your passion on these issues. That one I will take on notice, because I know that it will not be on hand with the advisers.

Georgie PURCELL: Minister, if I can just give some clarification for that. Recently we could not work out the reasoning behind a VRT case where a trainer went through the VRT because she left her dogs exercising on a treadmill and they strangled to death. Instead of going through the courts under the Prevention of Cruelty to Animals Act, that went through the Victorian Racing Tribunal. There was another case coincidentally of greyhounds strangling to death on treadmills, and that one went through the Magistrates' Court. We are just trying to get an understanding of how it is determined to apply what rules or legislation instead of the rules, but I am happy for that to be taken on notice.

Enver ERDOGAN: I might take that one on notice.

Georgie PURCELL: I have a couple of questions on the opposition amendments, so I am happy to leave it there to try to whip through.

Clause agreed to; clauses 2 to 6 agreed to.

Part heading preceding clause 7 and clauses 7 to 10 (17:33)

Bev McARTHUR: I move:

1. Part heading preceding clause 7, omit this heading.

I am moving this amendment, which removes clauses 7 to 10, comprising part 3 of the bill. Part 3 largely sought to place Racing Victoria's existing functions and powers on a more explicit statutory footing, including its rule-making, regulatory and enforcement functions. Metropolitan racing clubs

raised questions with us about the way those provisions were framed and how they might operate in practice, and we consider it appropriate to convey those concerns to the government.

I want to thank the shadow minister Tim McCurdy, Minister Erdogan, Minister Carbines and the government for engaging very constructively with us and the industry on this issue and for the work they have done to look at this amendment. The effect of these amendments is simply to remove part 3 and leave the existing arrangements governing Racing Victoria in place. I commend the amendments to the house and hope the government, as foreshadowed, and other members, will support them.

Enver ERDOGAN: I thank Mrs McArthur for that explanation in relation to these provisions. The government will be supporting this amendment, although we do believe that the original intent was just to clarify Racing Victoria's existing powers and functions, and we did not see anything necessarily controversial. But we understand some stakeholders did have concerns, and we have taken them on board. I also want to thank, obviously, Mr Carbines in the other place, Shadow Minister McCurdy and Mrs McArthur for coming to a practical resolution, because I think this is an important piece of work that we are able to deal with. We have agreed to those amendments and we can move forward.

Georgie PURCELL: I have some questions on these amendments. Mrs McArthur, what stakeholders requested the removal of these sections of the bill?

Bev McARTHUR: Major stakeholders requested some changes. I am not privy to them all. The shadow minister managed that.

Georgie PURCELL: Did this come from any of the three? Did it come from HRV, RV or GRV? Did it come from people with financial interests or industry participants? Is there any guidance as to what column they fall into?

Bev McARTHUR: Ms Purcell, can I just assure you that these amendments will ensure a balanced approach to racing industry governance across all three racing codes and will ensure integrity remains paramount in the racing industry. This will give all participant clubs and Racing Victoria the ability to work in harmony. We want to ensure that the industry, particularly with animal welfare, is at the forefront. It is a very good amendment, Ms Purcell. I urge you to get on board.

Georgie PURCELL: Mrs McArthur, I hope you know I am not trying to surprise you with this. I have genuine questions. I am just keen to know how animal welfare is at the forefront when it is removing a section of the bill that actually legislates the rules of racing and who is bound by them.

Enver Erdogan interjected.

Georgie PURCELL: I was going to say: if the minister wants to assist.

Enver Erdogan: No, no. It is Mrs McArthur's amendment. Let her do her work.

Bev McARTHUR: Ms Purcell, these changes will ensure that animal welfare is at the forefront and the industry goes from strength to strength.

Georgie PURCELL: My question is: how? I am hearing words, but not how.

Bev McARTHUR: Because we will have all the settings in place to ensure that it happens.

Enver ERDOGAN: Just to assist Ms Purcell, I think Mrs McArthur's perspective – I do not want to put words in Mrs McArthur's mouth – is that she believes the industry has best practice already in place. By removing this section there is no confusion of any potential change. They continue their good practice going forward. I think that is Mrs McArthur's perspective.

Bev McArthur: Well said, Minister.

Georgie PURCELL: I am happy for this to go to either of you. If best practice is already in place, then what is wrong with legislating it?

Bev McARTHUR: If best practice is in place, this change ensures it.

Georgie PURCELL: It literally does the opposite. It is taking it out.

Bev McARTHUR: Believe us. Trust us. We are from the government. We are here to help.

Georgie PURCELL: Just one final question: please believe me, these are genuine questions. I actually was not advised of the amendments, otherwise I would have got them sooner. If you think best practice is in place, Mrs McArthur, then why are you not seeking the same for Greyhound Racing Victoria and Harness Racing Victoria?

Bev McARTHUR: This was an issue raised by the flat racing community, and that is what we are responding to.

Georgie PURCELL: For one last time, because I cannot make a decision based on the flat racing community: who is that? Which stakeholders came to you with this request?

Bev McARTHUR: Thank you, Ms Purcell, for asking your own question. The key racing bodies that exist wanted this change.

Georgie PURCELL: Deputy President, I do not know if this is possible, but given that this is the opposition's amendment and the government said they are supporting it, perhaps the government can tell me who wants this, because it is actually quite a significant change. It removes an entire part of the bill. The opposition, who are moving this amendment, are not actually telling us who requested this. We have been talking about secrecy and transparency this entire debate and have been informed that there is best practice and great oversight, and yet nobody can tell me who wants this entire part of the bill removed. If the government is going to support it, perhaps the government can clarify which stakeholders actually requested this.

Enver ERDOGAN: Ms Purcell, I want to be very clear: this is not a government amendment, and this is not necessarily –

Georgie PURCELL: Why are you supporting it?

Enver ERDOGAN: The reason why we are supporting it is because we believe the rest of the bill has really important stuff that we want to get through, and that is why we are working with the opposition to make sure the rest of the legislation passes. More broadly, this section – the section that the amendment is sought for – already exists in the rules of racing. It already exists in the rules; we are trying to codify it in the legislation. I guess what Mrs McArthur's amendment will do is remove it from the legislation, but the existing rules of racing will continue as they are currently. In the end, it is to a certain extent that the government are not opposing the amendment, and we are supporting it. Obviously our initial proposal was for us to have it in legislation, but in relation to Mrs McArthur's amendment, as I said, the government is supporting it because there is a significant piece of work here that we believe that we have agreed to that needs to pass.

Georgie PURCELL: So just to clarify: the government are supporting removing a whole part of their own bill without reason or clarification just to get it through the Parliament?

Enver ERDOGAN: This part of the bill that we are legislating already exists in the rules of racing. We were just codifying it. If it means that we remove this section to ensure the rest of the bill, then the important work continues. We have come to the conclusion that that is a better outcome than the bill potentially lapsing.

Georgie PURCELL: I will just leave it there with the comment that that is not all that part does, but I guess we are taking out an entire part of the bill. I will leave it there.

Katherine COPSEY: The Greens will not be supporting Mrs McArthur's amendment. We will not be rolling over to the whims of the racing industry, unlike the Carroll government.

Michael GALEA: Mrs McArthur, may I just confirm for the record that you endorse the phrase ‘We’re here from the government. Trust us. We’re here to help’?

Bev McARTHUR: Thank you, Mr Galea, for that question. I can assure you we will be the government. It will be fine.

Georgie PURCELL: I just want to speak on the actual amendment. Now that I have asked my questions I just want to put on record that I will not be supporting this amendment. We have spoken here for many hours now, receiving assurances on transparency and accountability and doing everything we possibly can to stop the secrecy of the racing industry. Yet we have an amendment before us that removes an entire part of a bill, and neither the opposition, who is moving the amendment, nor the government, who is supporting the amendment, can tell us how that came about or who wanted it. Notably, it removes the part of the bill that is in relation to the richest and I would say most powerful code, which is the thoroughbred racing industry. I just want to put it on the record that I find it incredibly concerning that we are ripping out entire sections of bills without explanation or without knowing who is behind that. We know already just how much power and influence gambling industries have over politicians. I think it is absolutely shameful that neither the minister nor the opposition can stand before us and advise who requested this.

Enver ERDOGAN: It is not my amendment.

Georgie PURCELL: Yes, Minister, but you are supporting it, so that means that you agree, essentially. I will leave it there.

The DEPUTY PRESIDENT: The question is that the part heading and clauses stand part of the bill. If you support Mrs McArthur’s amendment, vote no to this.

Council divided on part heading and clauses:

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

Noes (25): Ryan Batchelor, Melina Bath, John Berger, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Part heading and clauses negatived.

Clauses 11 to 31 agreed to.

Clause 32 (17:52)

Georgie PURCELL: I move:

1. Clause 32, page 27, line 19, after “is” insert “, or has been within the previous 2 years,”.
2. Clause 32, page 27, line 22, after “has” insert “, or has had within the previous 2 years,”.

This is an amendment to extend the prohibition on current directors, board members or employees of a controlling body or racing club or those with a proprietary interest in a racing animal from serving as board members of Racing Integrity Commission Victoria and to include those that have been any of those things in the past two years. This would attempt to better address the revolving door of industry participants entering oversight roles. As the bill is currently drafted, all an industry participant would currently have to do to be eligible to serve on the board of the integrity commission is sell their shares or resign their position. This does not sever their ties or potential conflict of interest. It would give assurance – especially, as we have just discussed throughout this debate, given we have not even seen a report from the racing integrity commissioner for three years – that there would be no conflict of interest and that it would not just be a matter for the board to determine.

Katherine COPSEY: The Greens will be supporting this amendment. Cooling-off periods are a sensible and quite widespread practice in trying to maintain good corporate governance. We think this is a very sensible and helpful amendment to the bill, so we will be supporting it.

Enver ERDOGAN: The government will not be supporting this amendment by Ms Purcell.

Bev McARTHUR: The Liberal–Nationals will not be supporting Ms Purcell’s amendments.

Council divided on amendments:

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

Noes (23): Ryan Batchelor, Melina Bath, John Berger, Gaelle Broad, Enver Erdogan, Jacinta Ermacora, Michael Galea, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendments negated.

Clause 32 agreed to; clauses 33 to 51 agreed to.

David Limbrick: On a point of order, Deputy President, at the last division the bells only rang for 1 minute, but my understanding was that members had left the chamber before that. I would just like to make that point.

The DEPUTY PRESIDENT: I did ask everybody to stay.

David Limbrick: I was not here in the first place.

The DEPUTY PRESIDENT: Nobody drew my attention to that, Mr Limbrick.

David Limbrick: My understanding was there were two members that left the chamber. I would just like to make that point because I did actually want to vote on that division.

The DEPUTY PRESIDENT: We did ask people to stay. Nobody alerted me to the fact that anyone had left. But when we do ask people to stay, perhaps you should let me know if you are leaving the chamber.

Clause 52 (17:58)

Georgie PURCELL: I move:

3. Clause 52, page 57, line 24, omit ‘jurisdiction.’ and insert “jurisdiction.”.
4. Clause 52, page 57, after line 24 insert –

‘66I Greyhound Racing Victoria must publish quarterly reports on greyhound welfare matters

- (1) Within 7 days after the end of a quarter, Greyhound Racing Victoria must prepare and publish on its Internet site a report containing the following information in respect of greyhounds registered with Greyhound Racing Victoria –
 - (a) the number of greyhounds that have died during a greyhound race in the quarter (if any);
 - (b) the number of greyhounds that have died as a result of an injury sustained, or illness suffered, as a result of the greyhound’s involvement in greyhound racing (other than during a greyhound race) in the quarter (if any);

Example

An example of a greyhound’s involvement in greyhound racing is involvement in training or trialling activities.

- (c) the number of greyhounds that have died, other than in the circumstances referred to in paragraphs (a) or (b), in the quarter (if any);

Example

An example of other circumstances in which greyhounds have died is in the kennelling or housing of greyhounds, or by natural causes or general illness.

- (d) the number of greyhounds that have sustained an injury or suffered an illness in the quarter as a result of the greyhound's involvement in greyhound racing;
- (e) any matter that is the subject of a direction by the Minister under subsection (2).
- (2) For the purposes of subsection (1)(e), the Minister may direct Greyhound Racing Victoria to include in a report under subsection (1) any matter relating to greyhound welfare.
- (3) For the purposes of this section, each of the following periods is a *quarter* –
 - (a) the period beginning on 1 January and ending on 31 March;
 - (b) the period beginning on 1 April and ending on 30 June;
 - (c) the period beginning on 1 July and ending on 30 September;
 - (d) the period beginning on 1 October and ending on 31 December.”.

This is an amendment that would require Greyhound Racing Victoria to publish quarterly reports on key greyhound welfare information, such as the number of deaths or injuries that occur within the industry. Currently this data is actually collated by volunteers. Many members would have heard me read out those statistics every sitting week when I read in a motion. GRV already collect this information and have it available to them, and they publish it in their annual report. However, not only is quarterly reporting something that would ensure greater transparency and the opportunity for scrutiny, it would actually align us with New South Wales, South Australia, Tasmania and Queensland. This is a measure that I was hopeful that the government would be willing to at least commit to in the committee stage if they were not willing to legislate it. I think it is particularly important given that we have just had an amendment moved showing the power and the influence these industries can have with the entire –

Business interrupted pursuant to standing orders.

Enver ERDOGAN: Pursuant to standing order 4.08, I move:

That the sitting be extended.

Motion agreed to.

Georgie PURCELL: I was just stating that I think any efforts that we can make to ensure the transparency, oversight and accountability of these industries is critically important. We have just seen an entire section of this bill that was brought to the Parliament by the government completely ripped out after lobbying by Racing Victoria, with neither the opposition nor the government able to explain to us who did that lobbying and why faceless people – powerful people within the gambling industry – are dictating government policy. I think at the very least the Victorian people should have access to the animals who are impacted by these decisions and are the ones who ultimately pay the price with their lives for gambling profits.

Enver ERDOGAN: I thank Ms Purcell for her amendment. The government will not be supporting this amendment, but I do take the point in relation to the question that was asked during the committee stage. It is something that I guess the minister's office will take on board with stakeholders.

Bev McARTHUR: The Liberal–Nationals will not be supporting Ms Purcell's amendment.

David LIMBRICK: The Libertarian Party will be supporting this amendment. Without casting any view on the ethics of greyhound racing, nevertheless they receive taxpayer funds. This is a transparency measure of data points that are of interest to many in the community. Whilst they receive any sorts of funds, I think that if there are members of the community that are concerned about these things, then they should at least have access to the data, so I will support it.

Katherine COPSEY: The Greens will be supporting this amendment. I thank Ms Purcell for bringing it forward. It is quite worrying that Victoria is behind other jurisdictions when it comes to frequency of reporting. It just bears out that this government are more interested in running a protection racket for the gambling industry than making sure that they are able to be scrutinised for the harm that they are causing to these animals. Quarterly reporting is not onerous, and it would give more timely insight into the ongoing destruction of animals' lives and the injuries that are caused by this industry. As Ms Purcell said, every sitting week we are here and we hear about further injuries and deaths in the greyhound racing industry. We should have more timely reporting on the impacts of this barbaric sport.

Council divided on amendments:

Ayes (8): Katherine Copsey, Moira Deeming, Anasina Gray-Barberio, David Limbrick, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (25): Ryan Batchelor, Melina Bath, John Berger, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendments negatived.

Clause agreed to; clauses 53 to 83 agreed to.

Reported to house with amendments.

Enver ERDOGAN (Northern Metropolitan – Minister for Finance, Minister for Casino, Gaming and Liquor Regulation, Minister for Government Services) (18:07): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Enver ERDOGAN (Northern Metropolitan – Minister for Finance, Minister for Casino, Gaming and Liquor Regulation, Minister for Government Services) (18:07): I move:

That the bill be now read a third time and do pass.

Council divided on motion:

Ayes (26): Ryan Batchelor, Melina Bath, John Berger, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

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

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.

*Business of the house***Adjournment**

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (18:14): I move:

That the Council, at its rising, adjourn until Tuesday 25 August 2026.

Motion agreed to.*Adjournment*

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (18:14): I move:

That the house do now adjourn.

Myna bird management

Harriet SHING (Eastern Victoria) (18:14): (2704) The matter that I have to raise this evening is for the attention of the Minister for Environment. The action that I seek is that the minister give consideration to a myna bird – Indian or common myna bird – depopulation or cull program for the purpose of making sure that we can give native species the best possible chance of succeeding in offsetting some of what we know will be the most damaging threats to bird populations in Australia as a consequence of H5 and its inevitable arrival here on the mainland if, as we know, those testing results show that H5 is going to decimate native bird populations.

The common or Indian myna is a bird that was introduced in Australia in about 1862 for the purpose of managing the beetle and insect populations in and around sugar cane and to control bugs and pests in market gardens. It has since become an enormously invasive species right across Australia. Its impact is absolutely devastating. There is not a community anywhere around Victoria that would not know of the damage that myna birds cause. We are talking about the common or Indian myna birds, not the noisy miners, which are native Australian birds. We know that common or Indian mynas cause enormous damage wherever they go. They create large, aggressive flocks. They are deeply territorial. They crowd out native species. They breed quickly and multiple times a year. They take habitat for the purpose of hollows and nest-making. They also congregate in and around areas like shopping centres and in and around people's chook pens. They will gather to eat all sorts of food if it is left out, whether it is dog or cat food or anything else.

When we are faced with H5 as a serious threat to the bird and native mammal populations here in Victoria, I think it is incumbent upon us to be looking to lateral solutions to minimise that damage, including through reducing the threat and impact of habitat destruction or reduction for native birds. This is where, again, in giving some careful thought to this, I would encourage the minister to look to other jurisdictions where Indian or common myna eradication programs have taken place without the need for a pest declaration. Trapping and humane euthanasia can take place. It does take place. The action that I seek is that the minister engage with local community groups, including Landcare groups, that have produced a range of literature for the purpose of Indian or common myna proliferation, particularly with a sense of urgency given H5 and what we know will be a devastating impact on our bird and mammal populations here in Australia.

Greater Shepparton public transport

Wendy LOVELL (Northern Victoria) (18:17): (2705) My adjournment tonight is for the Minister for Public Transport, and the action I seek is for the minister to initiate a bus review for Greater Shepparton and increase the number of car parking spaces at the Shepparton train station. Jacinta Allan promised that by 2023 Shepparton would have nine weekday return train services and five weekend

return services. Labor broke that promise and failed to deliver the additional services on time. A new timetable with extra services will finally go live later this month, three years late. The new train timetable means Greater Shepparton needs a new bus timetable to ensure that buses are coordinated to match the arrival and departure times of trains. Not only do Shepparton trains serve Shepparton locals; they serve residents from surrounding towns who travel into Shepparton to catch the train to Melbourne. They deserve a bus network that can get them to the Shepparton station in time for the train.

The last review was conducted 15 years ago, in 2009, and the city has grown significantly since then. Entire new housing estates have sprung up that are not served at all by the bus network, and new routes are required to get workers from residential areas to the city centre and the industrial estate. More frequent services are also needed to better connect surrounding towns to Shepparton in the early mornings and on weekends. There are no bus services for Mooroopna locals on Saturday afternoon or Sunday, and residents of Kialla do not have any services at all on a Saturday or Sunday. On weekdays Tatura residents only have two buses to Shepparton and two buses back home, but because of the timing of the services this effectively provides only one return service. The need to coordinate with the new timetable makes it imperative to expand the bus network immediately, and the existing service gaps highlight just how long overdue this bus review is. The Victorian government is carrying out bus reviews in other regional cities, and Shepparton deserves a review too.

With increased train services, demand is set to grow for journeys to Melbourne, and this will mean an increased demand for car parking at the Shepparton train station. The station currently only has a small car park, with a mere 45 places and just two disabled parking spots to serve a regional city of over 70,000 people. Even now, with only five weekday services, I am constantly contacted by constituents who would like to use the train more regularly but often arrive to find that the car park is already full. Unlike metropolitan train stations, where cars turn over regularly as people come and go, once a car is parked at Shepparton it is often there for the entire day and into the night. Suitable land is available just south of the station. I urge the minister to explore all options to provide extra parking space at the Shepparton station, given the new train services are about to commence.

Age of criminal responsibility

Katherine COPSEY (Southern Metropolitan) (18:21): (2706) My adjournment this evening is for the Minister for Youth Justice, and I ask that the minister raise the age of criminal responsibility to 14. I rise to speak tonight in the context of a recent report from the Commission for Children and Young People which has been released. The report is titled *With Us, Not against Us: A Systemic Inquiry to Learn from the Experiences of Children Who Entered the Criminal Justice System before 14* and was recently tabled in Parliament. I am speaking on this topic again, and it is frustrating because I feel that this is a very necessary and worthy inquiry that reinforces the work that has gone on in this space and the asks that have been put before this government so many times before. The findings of the report are familiar. They show that children who have had encounters with the criminal justice system frequently have had institutional paths that have led to this point. Just some of the stats that were found: the 26 children in the inquiry's file review were collectively the subject of 250 child protection reports around their safety and wellbeing. Many of them were the subject of such reports before they even turned five. Family violence was a very commonly identified harm. Many of the children, 88 per cent in fact, live with disability, and many of them experience chronic absence from school. There were so many vulnerabilities identified in this cohort.

What the report crucially found is that once the children came into contact with the criminal justice system, they were exposed to further harms. The contact with the criminal justice system at an early age undermined their capacity for positive changes. It did not lead to a rehabilitative path. It did not, in many cases, help them turn away from that path. It actually institutionalised and furthered harms and entrenched disadvantage that the kids were already experiencing. Crucially, it found that it actually increased the likelihood that these young people would reoffend.

This is just another iteration of evidence that has been put before the government. It reiterates how disappointing this government's backflip from its previous position that it would raise the age of criminal responsibility to 14 is. The backflip that occurred under this Labor government when Jacinta Allan became the Premier and continues under Ben Carroll says that it will ignore the evidence. I plead with the government to reconsider its position and reinstate its support for raising the age of criminal responsibility to 14. Kids deserve care, not prison.

Roadside acoustic cameras

Ryan BATCHELOR (Southern Metropolitan) (18:23): (2707) My adjournment matter this evening is to the Minister for Environment. The action that I seek is for the minister to confirm that the Environment Protection Agency Victoria will conduct a trial of acoustic noise cameras in the City of Port Phillip to target hoon driving. We know that last year the EPA received more than 9000 noise complaints, of which almost 5000 related to vehicle noise across Melbourne. The Port Phillip council, a local government area in the Southern Metropolitan Region, is one of the hotspots for hoon driving that has been identified arising out of these complaints. The hooners are congregating on local streets such as Beaconsfield Parade, disrupting residents who are trying to sleep. We know that a lack of sleep does affect health and wellbeing for everyone, particularly these residents on Beaconsfield Parade. But it is not just a noise pollution issue, it is a safety one as well. Hoon drivers often tear along streets conducting dangerous manoeuvres at speed with no regard for the safety of others, either other drivers or any pedestrians in the local area.

Currently noise complaints are directed to police and EPA officers, who rely on witnesses to identify vehicles responsible for the noise. Residents should be able to live in peace and safety without having their evenings disrupted by the sound of vehicles tearing down their street, and that is why the Labor government is working with Victoria Police and the EPA to trial acoustic cameras across Melbourne. The trial will assess the feasibility of acoustic cameras to identify vehicles that are noncompliant and will assess whether they can support current efforts on compliance and enforcement of vehicle noise pollution. The acoustic cameras being trialled combine microphones and cameras that allow them to measure noise levels, identify the source of the noise and capture audio and visual evidence, including vehicle registration, that can be then used by the EPA to review whether further action is needed. The EPA then has the powers to require a vehicle owner to submit their vehicle for noise testing at an accredited facility, and for those who fail to comply with these notices for testing or to bring their vehicle in for compliance it can result in a fine of more than \$1200.

I particularly want to pay tribute to the hard work of the member for Albert Park Ms Nina Taylor and also the City of Port Phillip for their advocacy in getting the work underway from the EPA to source and trial these cameras. Nina has been an absolute champion supporting local residents in cracking down on hoon driving. I ask the minister to confirm that that trial will indeed proceed.

Bushfire recovery

Bev McARTHUR (Western Victoria) (18:26): (2708) My adjournment matter is for the Minister for Small and Family Business. The action I seek is that she publish a final acquittal of the western Victoria business bushfire recovery grant (BBRG) applications, approvals and rejections, the total grants paid, money left unspent and the total cost of administering them. After the fires tore through the Grampians and the Little Desert, Labor's press release on 11 March announced more than \$24 million in crucial support for affected businesses, including \$5000 grants for small businesses and eligible primary producers. Of that, \$22.84 million was allocated to these grants.

Documents obtained under freedom of information reveal what actually happened. Applications opened on 13 May. By 19 September, less than eight weeks before the fund closed, the minister was briefed that grant uptake to date had been low, with only 23 grants approved. Total payment was \$115,000 – 23 businesses, \$115,000, across six local government areas, home to thousands of businesses. The department went further, telling the minister that based on the mixed reception of the program, low demand and uptake, the department was unlikely to access further contingency funding.

It knew why. Advising on a later program, drawing expressly on experience of this one, they warned that such grants are 'likely to get a mixed reaction from stakeholders, particularly if few businesses meet the eligibility requirements.' That is at the heart of it. To qualify, a business had to be an employing business with fewer than 20 full-time staff and registered with WorkSafe Victoria, which shut out every business with nobody on the books, despite the announcement referencing primary producers. It then had to prove a revenue collapse of 40 per cent and at least \$10,000 over three consecutive months and pay an accountant to certify it, all for a \$5000 grant.

Then there is the administration. In July 2025 the Treasurer released a further \$784,000 from the funding, and this is the quote, 'to support with the administration of the BBRG' – not for grants but for administration. Two months later the total grants issued stood at \$115,000. The brief does not break down that three-quarters of a million dollars was spent on administration. The minister can. The money was there. The need was there. What was missing was a scheme that fire-affected businesses could get into. This government counted the announcement as the achievement. Western Victoria is entitled to count what actually arrived.

Outdoor recreation

Georgie PURCELL (Northern Victoria) (18:30): (2709) My adjournment matter is for the new Premier, and the action that I seek is for him to meet with a range of animal welfare, environmental, wildlife and First Nations representative organisations who were not consulted in the lead-up to the Outdoor Recreation Victoria Bill 2026 and have expressed disappointment since its passage in the hope that they can be involved in any future discussions as the agency is created.

Many of us were disappointed this week when the new Premier, after weeks of this legislation bouncing around on the Legislative Assembly notice paper, with the amendments that passed in this place at 4 am before the break – we were hopeful that that meant that potentially the legislation would not come on. For those who are not familiar with how this occurred, this bill was presented as an apparent acquittal of the Silver review to merge the Game Management Authority and the Victorian Fisheries Authority. However, it did more than Silver recommended; it also gave this new agency promotional powers in a grave conflict of interest that this government actually actively tried to stamp out.

Only a number of years ago Jaala Pulford was the Minister for Agriculture, and the Game Management Authority was found to be unwilling and incapable of controlling duck shooters and stamping out illegal behaviour because of the relationship with those same people and organisations. That bill actually became worse when it was here in the upper house, despite constant requests to work with members of the crossbench to pass sensible amendments, including things like retaining existing provisions in the Game Management Authority Act 2014 such as an animal welfare representative on the board of this new organisation. Those offers were rejected, and a deal was struck with the Nationals to make this bad bill even worse.

Since that bill was amended we have seen further industry representatives slated onto the board and defined onto the board, despite being consistently told it would be illegal in the governance board. We have seen the Land Access Panel actually become more secretive than it already was. Yesterday the Federation of Victorian Traditional Owner Corporations said the government's handling of the bill betrays the commitment of Statewide Treaty by failing to consult First Peoples. As CEO Kaley Nicholson said, public land is traditional owners land, but you would not know it from this piece of legislation.

However, they are not the only ones who are bothered by this. The Victorian National Parks Association, the Wilderness Society, the Victorian Forest Alliance and Environment Victoria were also not consulted; neither were the Coalition Against Duck Shooting, End Duck and Quail Shooting Alliance, Regional Victorians Opposed to Duck Shooting, the Victorian Kangaroo Alliance, Kangaroos Alive nor any of the other volunteer organisations who will ultimately be impacted by the greater powers under this legislation. I am hopeful, given his disappointing decision, the Premier will at least meet with these organisations to explain that and to talk about a way forward.

Avian influenza

Michael GALEA (South-Eastern Metropolitan) (18:33): (2710) My adjournment is for the Minister for Environment. We are in a very distressing situation right now where we are seeing the prevalence of H5 bird flu permeating across the shores of our country. However, out of this very concerning news I was pleased to see an exciting announcement in relation to Victoria's colony of little penguins. I have recently come to learn that the terminology is 'little penguins' and no longer 'fairy penguins', which is a bit of a shame – more on that later, perhaps. But little penguins is the correct terminology, and it is a very apt one too. Of the world's 18 species of penguins, Victoria's little penguins are the smallest, weighing in at just under 1 kilogram. Although despite their small stature they certainly make up for it by being able to eat up to 25 per cent of their body fat in one day, which is very impressive.

Apart from being adorable little birds, these penguins contribute a lot to Victoria's economy of course as well, with more than 700,000 people visiting the penguin parade on Phillip Island last year alone. When you consider the more than \$500 million of direct and indirect spend within the Victorian economy in relation to penguin sightings, both of course at Phillip Island and closer to here in Parliament at St Kilda as well, you can really appreciate the importance of vaccinating, from a cold-hearted economic perspective as well as, most importantly, a social conscience perspective. That is why it is so exciting to see what is actually in fact the world's the world's largest ever recorded wildlife vaccination program, with between 5000 and 6000 vaccinations scheduled to take place across St Kilda and Phillip Island for these precious little birds.

Indeed there is more good news too, because it appears that some of their attributes make vaccination quite easy. In particular, I am told they have fatty little pecs which provide ideal injecting sites. Also, there has been a trial of 12 initial penguins, and we have seen that the antibody results have been very encouraging, that the penguins show no distress and in fact – I am very delighted to report this, as penguins are known to be very romantic – that it does not appear to have led to any breakdown in any of their relationships either. Although I do note, in returning to the start of my adjournment, that I understand that all of those 12 penguins were in heterosexual relationships. For Tux and Flipper and any other fairy little penguins out there, I look forward to hopefully seeing the same results for them too. On that note, I do ask that the minister confirms that what I have said is true, and I ask that she update the house on that.

Health system

Georgie CROZIER (Southern Metropolitan) (18:36): (2711) My adjournment matter this evening is for the attention of the Minister for Health. Two weeks ago the latest Victorian Agency for Health Information data was due out. That is the data that tells Victorians and health services what is actually happening in the health system. This data was for the April–May–June period, and now we are in the middle of August and we still do not have that data. I raised in question time today concerns around what is happening in our emergency departments where, tragically and sadly, people who are waiting for far too long are dying. Doctors are calling out their concerns. There is industrial action that is taking place, whether it is allied health professionals or doctors that are undertaking industrial action because they cannot get any response out of this government. Yet again we have got a health system that is in absolute crisis. On Wednesday night 40 ambulances could not be staffed, and on Thursday night 44 ambulances could not be staffed, putting huge pressure on the system. It is really placing Victorians at huge risk. I think it is shameful that the government are hiding behind the data that they refuse to release. We might have a new talking head as the Premier, but it is the same old, corrupt, desperate government that refuses to take any responsibility or be accountable for the failures that have occurred under its watch. Twelve years of Labor in power and our health system is an absolute mess. The action I seek is for the minister to provide an explanation as to why this data has not been released. Is it because hospitals are not providing the government with the data on time? What is the reason? We need to understand, and I think all Victorians deserve a greater degree of transparency than is occurring under the Carroll Labor government.

Victorian Murray Floodplain Restoration Project

Sarah MANSFIELD (Western Victoria) (18:38): (2712) My adjournment is for the Minister for Water, and the action that I am seeking is for her to take an urgent meeting with the members of the Friends of Nyah Vinifera Park regarding the imminent start of Victorian Murray Floodplain Restoration Project construction along this floodplain. For the last 84 days the gates to Nyah-Vinifera Park have been host to a blockade. The community has been standing watch, monitoring and bearing witness, with machines at the gate ready to bulldoze hundreds of trees and begin construction of levee banks and regulators. The community holds serious concerns for the future of this beloved habitat.

The Vinifera forest is the latest victim of this Labor government's stubborn commitment to giant infrastructure projects at any cost. The park is one of nine projects making up the government's Victorian Murray Floodplain Restoration Project, or VMFRP. These are select projects that will re-engineer ancient forests along the banks of the Murray in order to offset Labor's commitment to returning much-needed water to this precious river. Vinifera forest is beloved by the community, who relish early morning walks along its trails, bathing in the sounds of birdsong and admiring giant river red gums. The forest is a unique habitat, home to carpet pythons, sugar gliders and the grey-crowned babbler, among many other species. Their only wish is for it to be protected so that it may be admired well into the future by the many generations to come.

Why is it, then, that the government is stubbornly steaming ahead with this project? They have acknowledged that it will have a potentially catastrophic impact on fish populations, that the clearing of 27 hectares of forest will destroy many large hollow-bearing trees and that similar projects place sacred sites and cultural landscapes under threat. Project alternatives that are supported by both the community and the federal government are now already on the table. The Victorian government could take steps to relax constraints along the entire river system, allowing more frequent and natural flooding of many unique river wetlands, not just a highly altered few. Let us be clear: this is an engineering project, it is not restoration. Viable alternatives exist, but they need to be actioned and fast. I urge the minister to meet with the Friends of Nyah Vinifera Park to stop this project before it is too late.

Vehicle registration rebate

Sheena WATT (Northern Metropolitan) (18:40): (2713) My adjournment matter is for the Minister for Government Services Enver Erdogan. He also is a member for Northern Metropolitan with me, so I am hoping this question is very interesting for him too. Earlier in the week during his ministers statement he did talk about the 20 per cent rego rebate and what the impacts have been right across the state, but in fact my interest is particular to Northern Metropolitan Region. The action that I seek is for the minister to provide information on how many people across our shared region have already claimed their registration rebate and any information to encourage folks to take it up before it closes shortly.

Child sexual abuse

Ann-Marie HERMANS (South-Eastern Metropolitan) (18:41): (2714) My adjournment matter is to the Attorney-General, and the action I seek is for the government to acknowledge that child sexual abuse is continuing to occur in Victorian schools and residential care. I ask the minister to clearly outline the steps that this government will take to implement meaningful and systematic change to address child sexual abuse in the services regulated by the Carroll Labor government.

Last sitting week we had the parliamentary apology to victims of historical child abuse in Victorian government schools. This was important to the victims, but what about the victims of abuses that have occurred since 1994? We need another inquiry and potentially also another apology. A law firm is investigating claims of child sexual abuse on behalf of more than 600 former students across 357 Victorian schools. Some of these allegations are as recent as 2024, and there are several schools listed that are in my region, such as Dandenong High School and Hallam Primary School. Just earlier

this year a teacher at Kingswood Primary School in Dingley Village was caught. He was the perpetrator of strategically placed cameras in school bathrooms filming innocent children. Concerns arise as to whether this footage was being used to create AI pornography using the local primary school children. For every report of child sexual exploitation and abuse, there are potentially more going undetected or not reported or not acted on at all. Under the Carroll Labor government undetected perpetrators can quietly transfer between schools where they carry out horrific, life-altering criminal and sexual abuse of children. It was devastating last year when we had 2000 babies from six months to two years old who were tested for sexually transmitted diseases because of just one childcare worker. What about the workers that have not been caught and are still out there accessing our babies and our children?

Then there is the residential care system, the dark reality of which remains hidden and is awaiting its own in-depth research and report. Constituents tell me that residential care is a place where young people and children have been trafficked and sexually abused and their lives irreparably damaged. Children placed in the state's care should be protected. But after all the parliamentary apologies, we continue to have systemic failures in this state. How many more children must face immeasurable pain and lifelong trauma before this government takes action? The public deserve to have consistent, ongoing, transparent and thorough inquiries into child sexual abuse and into perpetrators that have access to children in state care and state schools today. The public also deserves to know that perpetrators will be accountable for their crimes. Listening to my Liberal colleagues leader Jess Wilson and Shadow Minister for Education Brad Roswell make apology speeches, I am confident that a Liberal–National government will do more to look into the abuse of children that has taken place under the Andrews–Allan–Carroll Labor government's regime.

Responses

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (18:44): At the outset I would like to thank Ms Watt for abandoning her 3 minutes so that Mrs Hermans did not miss out, because we knew that Mrs Hermans was sitting in the chamber ready to give her adjournment. I asked Ms Watt to shorten hers to allow you to have yours, Mrs Hermans. So thank you, Ms Watt.

There were seven items for ministers other than me this evening. There were three that were directed to me in my capacity as Minister for Environment. I would like to acquit those. Ms Shing asked me and the department to have a look at measures to address Indian mynas in light of support that may help to respond to H5N1 and particularly to work with Landcare groups. I commit to having a look at that for Ms Shing. Mr Batchelor asked me to confirm whether a trial of acoustic cameras would be occurring in the City of Port Phillip. Mr Batchelor, I can confirm that locations have been identified in consultation with Victoria Police and they do include the City of Port Phillip. And to Mr Galea, who spoke very passionately about the penguins and the vaccination program and asked me to verify whether the facts he had put on record were true: to the best of my knowledge, Mr Galea, everything you said is true, and I will have that verified by my department.

The PRESIDENT: The house stands adjourned.

House adjourned 6:46 pm.