

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Tuesday, 31 October 2017

(Extract from book 14)

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 16 October 2017)

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

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(to 15 October 2017)

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Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Aboriginal Affairs, Minister for Industrial Relations, Minister for Women and Minister for the Prevention of Family Violence	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation and Minister for Local Government	The Hon. M. Kairouz, MP
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Minister for Industry and Employment, and Minister for Resources	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
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Minister for Training and Skills, and Minister for Corrections	The Hon. G. A. Tierney, MLC
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Thomas, MP

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(to 12 September 2017)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier, Minister for Education and Minister for Emergency Services	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D'Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. M. Kairouz, MP
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Minister for Industry and Employment, and Minister for Resources	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence (until 23 August 2017)	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Training and Skills, and Minister for Corrections	The Hon. G. A. Tierney, MLC
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Thomas, MP

**OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

Speaker

The Hon. C. W. BROOKS (from 7 March 2017)

The Hon. TELMO LANGUILLER (to 25 February 2017)

Deputy Speaker

Ms J. MAREE EDWARDS (from 7 March 2017)

Mr D. A. NARDELLA (to 27 February 2017)

Acting Speakers

Ms Blandthorn, Mr Carbines, Ms Couzens, Mr Dimopoulos, Mr Edbrooke, Ms Graley,
Ms Kilkenny, Ms Knight, Mr McGuire, Mr Pearson, Mr Richardson, Ms Spence, Ms Suleyman,
Ms Thomson, Ms Ward and Ms Williams.

Leader of the Parliamentary Labor Party and Premier

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

The Hon. J. A. MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition

The Hon. M. J. GUY

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition

The Hon. D. J. HODGETT

Leader of The Nationals

The Hon. P. L. WALSH

Deputy Leader of The Nationals

Ms S. RYAN

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn ²	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent ³	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio ⁴	Melton	Ind
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma ¹	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John ⁵	Morwell	Ind
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David ⁶	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Burgess, Mr Neale Ronald	Hastings	LP	Pakula, Mr Martin Philip	Keysborough	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Paynter, Mr Brian Francis	Bass	LP
Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
Couzens, Ms Christine Anne	Geelong	ALP	Perera, Mr Jude	Cranbourne	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Ms Fiona Catherine Alison ⁷	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard ⁸	Polwarth	LP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian ⁹	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Tilley, Mr William John	Benambra	LP
Kairouz, Ms Marlene	Kororoit	ALP	Victoria, Ms Heidi	Bayswater	LP
Katos, Mr Andrew	South Barwon	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
Knight, Ms Sharon Patricia	Wendouree	ALP	Watt, Mr Graham Travis	Burwood	LP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

¹ Elected 31 October 2015

² Resigned 3 September 2015

³ Resigned 3 September 2015

⁴ ALP until 7 March 2017

⁵ Nats until 28 August 2017

⁶ Elected 14 March 2015

⁷ Died 23 August 2017

⁸ Elected 31 October 2015

⁹ Resigned 2 February 2015

PARTY ABBREVIATIONS

ALP — Labor Party; Greens — The Greens;
Ind — Independent; LP — Liberal Party; Nats — The Nationals.

Legislative Assembly committees

Privileges Committee — Ms Allan, Mr Clark, Ms D’Ambrosio, Mr Morris, Ms Neville, Ms Ryan, Ms Sandell, Mr Scott and Mr Wells.

Standing Orders Committee — The Speaker, Ms Allan, Ms Asher, Mr Carroll, Mr Clark, Ms Edwards, Mr Hibbins, Mr Hodgett, Ms Kairouz, Ms Ryan and Ms Sheed.

Legislative Assembly select committees

Penalty Rates and Fair Pay Select Committee — Ms Blandthorn, Mr J. Bull, Mr Clark, Mr Hibbins, Ms Ryall, Ms Suleyman and Ms Williams.

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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Tuesday, 31 October 2017

The SPEAKER (Hon. Colin Brooks) took the chair at 12.03 p.m. and read the prayer.

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER (12:03) — Order! We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

ABSENCE OF MINISTER

Mr ANDREWS (Premier) (12:03) — I advise the house that the Minister for Tourism and Major Events, who is also the Minister for Sport and Minister for Veterans, will be absent from question time this week and that the Minister for Housing, Disability and Ageing will answer in his place.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Country Fire Authority gender diversity and inclusion

Mr GUY (Leader of the Opposition) (12:04) — My question is to the Premier. Given the outrageous allegations of bullying and criminal behaviour in Victoria's fire services, which have shown that 50 per cent of all respondents to the gender diversity and inclusion report say they have been bullied within the Country Fire Authority (CFA), one in three women have experienced sexual harassment, 71 per cent of women believe bullying is a problem at the CFA, and 10 senior Metropolitan Fire Brigade (MFB) managers have now taken action against the MFB due to bullying, it is clear that whatever you have said you have been doing for the past three years to fix the fire services has utterly failed and in fact has made things worse.

Premier, will you now join with the opposition and back a royal commission into the longstanding issues of intimidation, United Firefighters Union bullying and criminal abuse that are endemic in Victoria's fire services?

Honourable members interjecting.

The SPEAKER — Order! I ask the Deputy Premier and the member for Gembrook to come to order.

Mr ANDREWS (Premier) (12:05) — I thank the Leader of the Opposition for his question. I can put it no

better than the chief officer of the CFA, Steve Warrington, who said, 'We've had a gutful of reviews'. That is what Steve Warrington said.

Honourable members interjecting.

The SPEAKER — Order! Members on both sides of the chamber will come to order.

Mr ANDREWS — The chief fire officer has made it very clear — and I think Commissioner Lapsley as well has joined him in that sense of —

Mr R. Smith interjected.

Mr ANDREWS — The member for Warrandyte has just suggested that they, those two decorated firefighters, 'had something to hide'. I really hope Hansard got that. I really hope Hansard got what the member for Warrandyte just said — and in fact I might ask that he withdraw that right now.

Honourable members interjecting.

The SPEAKER — Order! The member for Malvern will come to order. I remind all members to cease shouting across the chamber, otherwise at this very early stage I will have to ask members to leave the chamber. I cannot ask the member to withdraw comments.

Mr ANDREWS — Of course the member for Warrandyte, who thinks it is a laughing matter to —

Honourable members interjecting.

Mr ANDREWS — The member for Warrandyte could have jumped to his feet and said, 'I'm terribly sorry for besmirching the good names of Craig Lapsley and Chief Officer Warrington'. The record will reflect that he sat in his seat laughing.

Mr Walsh — On a point of order, Speaker, I would ask you to bring the Premier back to answering the question as to why he will not join the opposition in supporting a royal commission into the fire services here in Victoria.

Mr Pesutto interjected.

The SPEAKER — Order! The member for Hawthorn is warned.

Mr ANDREWS — As I was saying, the chief officer of the CFA and I think Commissioner Lapsley as well and many others in our fire services have made it very clear that we have had enough reviews. We have a clear sense of what the problems are. The big problem

for those opposite who now propose a royal commission is that they voted against the very solutions that those eight reviews point to. They have no credibility on this issue and the government will not be supporting yet other inquiry when we know what is needed is action, particularly from those who frustrate and try and oppose every attempt to address the very problems they did nothing about in government and pretend to care about today.

Supplementary question

Mr GUY (Leader of the Opposition) (12:08) — Premier, given you have just dismissed a royal commission out of hand, despite overwhelming evidence that the culture of the fire services is dysfunctional and potentially putting Victorians at risk, all you have done over three years is leave a trail of destroyed careers and lives. Premier, what will it take before you finally admit that Victoria’s fire services have gone backward under your watch and that a royal commission is needed to end this crisis?

Mr ANDREWS (Premier) (12:08) — I would point out to the Leader of the Opposition that there is no mention of Fiskville in his royal commission proposal. There is nothing like a convert. We like royal commissions now, but not into Fiskville. Oh, no, we will stay right away from that. No mention of response times, I do not think, either. No mention of cutting \$66 million from the fire service budget. No mention of being at the tennis while the state burned. The hypocrisy of those opposite is truly breathtaking.

Ministers statements: Drug Rehabilitation Plan

Mr ANDREWS (Premier) (12:09) — I rise to advise the house about the government’s *Drug Rehabilitation Plan* launched this morning, a plan that will save lives across not only the North Richmond community but right across Victoria, given that its component parts include 100 additional rehabilitation beds; a rapid detox service, the first of its kind as I understand it in our state; and additional training for health professionals to bring them on.

What is more, there is a targeted measure to end the awful practice of those who would take tens of thousands of dollars from families, claiming to provide treatment to their loved one and providing no such treatment — dodgy providers. There will be a crackdown on them as well.

And of course there will be a medically supervised injecting facility at the North Richmond Community Health service, because as of yesterday afternoon

35 Victorians have died in and around the North Richmond community. To ignore that, to do nothing about that, to use that as a political opportunity is not the approach the government takes — not now, not ever.

For every parent in the community and for every thoughtful, reasonable person across Victoria I simply say this: in New South Wales there have been 1 million injections, 6000 serious overdoses and not one death. In Victoria in the last 12 months there have been 35 tragic deaths. Ask yourself: what if it was your son or your daughter?

Mr Pesutto interjected.

The SPEAKER — The member for Hawthorn has already been warned.

Mr ANDREWS — You would want a new approach, and that is what we are delivering.

Country Fire Authority gender diversity and inclusion

Mr BATTIN (Gembrook) (12:11) — My question is to the Minister for Emergency Services. The Country Fire Authority (CFA) annual report for 2016–17 has revealed that last year the total number of female CFA volunteers fell by 6.3 per cent. Minister, why would any woman want to join our fire services, given that you and the Premier have consistently failed to stand up to or condemn the United Firefighters Union culture of bullying and denigration of our women?

Honourable members interjecting.

The SPEAKER — Order! The member for Macedon will come to order.

Mr MERLINO (Minister for Emergency Services) (12:12) — I thank the member for Gembrook for his question. In his question he outlined why the reform is needed — why we need to tackle the issue of culture change and diversity within our fire services. I would suggest to the member for Gembrook that he speak to the National Party, because his colleagues in the coalition do not support our reforms to improve diversity within our fire services.

What we have done is we have requested that the Victorian Equal Opportunity and Human Rights Commission undertake the report, which they are doing, and when it is released we will respond to it. But we are not waiting for that. We have made significant investment in culture change and diversity within our fire services. We have committed to significant targets to improve diversity within our fire services. That

includes quadrupling the number of career female firefighters within the Metropolitan Fire Brigade and the CFA and increasing to 15 per cent the number of women in leadership roles at the brigade level from around 265 to well over 900. It is only the Andrews government that is committed to diversity and change within our fire services.

Supplementary question

Mr BATTIN (Gembrook) (12:13) — The most recent CFA annual report also shows that the overall volunteer numbers have declined under your government. Is it not a fact that this decline in volunteers is due to your and your Premier's failure to protect victims of bullying, intimidation and sexual harassment or to stamp out the cover-up culture that has become pervasive in our fire services?

Mr MERLINO (Minister for Emergency Services) (12:14) — He does make a lot of stuff up. My answer to his question is no. For the benefit of the house, the number of volunteer operational firefighters is over 35 000, which is in line with the figures over the last few years.

Mr Battin — On a point of order, Speaker, in relation to relevance, when you are talking about the facts that are in place for volunteers in Victoria, it has dropped from over 59 000 since they came to government to 56 004. I can table the figures if you like, but there has been a decline of just over 3000 in volunteers since this Premier took power.

The SPEAKER — Order! The minister to continue, or has he concluded his answer?

Mr MERLINO — I am happy to continue, Speaker. I will just repeat that volunteer operational firefighters are over 35 000, which is in line with the past few years. In addition to the funding for culture and diversity, we have also provided over \$2 million for a volunteer recruitment and retention campaign. Only Labor invests in our CFA. Under the previous mob, they cut \$66 million.

Ministers statements: drug and alcohol services

Mr FOLEY (Minister for Mental Health) (12:16) — I rise today to inform the house of the Andrews Labor government's most recent announcement for investment in our alcohol and drug treatment services right across our state. Yesterday we rolled out a package of over \$87 million worth of a range of measures that at their core will see between now and March 2018 an extra 100 residential rehabilitation beds across our state for those people who

are seeking to grapple with the scourge of addiction. In addition to that, that builds on top of our program of a record \$220 million worth of investment. This will mean a more than doubling of the residential rehabilitation drug and alcohol beds during the course of this government. Just compare that for a moment with the measly two beds that those opposite introduced over four years when they held the reins of power.

In addition to where those beds will be, between now and March we will see beds roll out in Lower Plenty, Maryknoll, Bendigo, Werribee and St Albans. That builds on the additional investment already in our program that will see new facilities in the Hume region, new facilities in the Barwon region and new facilities in the Gippsland region. Under this government we are very proud of that achievement. We will see more people receiving support in and around their communities. This comes in addition to a brokerage service where, right across the state, we will be in a position to, overnight and immediately, connect people with the services that they need that are for families that are in crisis on top of all of the other measures the Premier outlined in his earlier comments.

Let's Feed

Mr T. SMITH (Kew) (12:18) — My question is to the Minister for Consumer Affairs, Gaming and Liquor Regulation and concerns an unregistered charity which also conducts fundraisers under the name Let's Feed. Minister, the person behind Let's Feed is Mr Jasvinder Sidhu, a former staff member of the rorting member for Tarneit. Mr Sidhu has stacked hundreds of members from the Indian community into the Labor Party in an attempt to ensure his preselection for Tarneit. Mr Sidhu's so-called charity collects cash donations from cashboxes scattered across the western suburbs and solicits for donations to be paid into a mysterious bank account that pays for Labor Party memberships. Minister, will you fully investigate this new low in the pattern of rorting under the Andrews Labor government, in this case the rorting of donations from a charity to pay for Labor Party memberships?

Honourable members interjecting.

The SPEAKER — Order! The Deputy Premier will assist with the running of the house.

Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation) (12:19) — I thank the member for his question. The matter is a serious one, and I am aware of the allegations made by Mrs Peulich in the Council and others around the charity and fundraising status of Let's Feed. Consumer Affairs Victoria is

currently investigating this matter, and it would be inappropriate for me to provide any further commentary.

Supplementary question

Mr T. SMITH (Kew) (12:19) — With Mr Sidhu being the apprentice to the master rorter, the member for Tarneit, Minister, will you guarantee that the same vigour be applied to the investigation into Let's Feed as was applied to other dodgy scams, such as one run by Belle Gibson, or will this investigation be a whitewash to cover for just another Labor mate?

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte!

Mr Languiller — On a point of order, Speaker, I seek clarification. I did not quite understand. Did the member claim that Mr Sidhu had actually worked for the member for Tarneit? Did he say that? I seek clarification.

Honourable members interjecting.

The SPEAKER — Order! the member is entitled to raise a point of order. There is no point of order. The member for Tarneit, on the point of order.

Mr Languiller — Further on the point of order, Speaker, I do not believe Mr Sidhu ever worked for me.

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte! The member for South Barwon!

Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation) (12:21) — I thank the member once again for his question. As I said earlier, the matter is currently being investigated, and it would be inappropriate for me to provide any further commentary.

Ministers statements: supervised injecting facilities

Ms HENNESSY (Minister for Health) (12:21) — I rise to address the issue of our government's support for the trial of a supervised injecting facility at the North Richmond Community Health service to prevent deaths from drug overdoses. Most importantly the issue that I would like to address is the importance of providing a safer health setting for our health workers.

The facts are very clear. The number of people dying from overdoses has almost doubled since 2012, and heroin deaths are at their highest since the year 2000.

Our government wants to make sure that we are better at preventing people dying from drug overdoses. We want to minimise harm, we want to help save lives and we want to keep our community safe, and in doing so we want to make sure that the working environment of our healthcare workers is a safer one.

The fact of the matter is that it is our first responders and our frontline health workers that are exposed to the dangerous reality of drug overdoses, and when paramedics attend those jobs they are often confronted with things like an increased risk of things like needle-stick injury and bloodborne virus risks. Drug incidences requiring ambulance attendances do continue to rise, and since 2011 paramedic attendances at drug incidents have almost doubled to over 10 000 just this year. Too many people are putting their lives at risk, and too many paramedics and nurses are being put in a position where they are having to take risks that they should not have to take.

Rather than respond to an increasing number of drug overdoses, the experience of supervised injecting facilities in other jurisdictions has been that that has significantly freed up paramedic attendances to go elsewhere. For example, in Kings Cross, ambulance call-outs have been reduced by over 80 per cent. Our package also includes \$450 000 over two years to better support nurse education and much-needed scholarships, and to support the provision of additional drug treatment training. This is a reform that is way overdue and has our complete support.

Jasvinder Sidhu

Mr T. SMITH (Kew) (12:23) — My question is to the Treasurer. You recently endorsed Mr Jasvinder Sidhu for Labor Party preselection in Tarneit to replace its current rorting member. In your endorsement you stated Mr Sidhu is an impressive advocate for Melbourne's west and Labor values. Treasurer, given that the Minister for Consumer Affairs, Gaming and Liquor Regulation has just alluded to the serious nature of the allegations and announced that Mr Sidhu and his charity are under investigation, do you stand by your endorsement of Mr Sidhu?

Ms Allan — On a point of order, Speaker, it is very difficult to see the connection between the member for Kew's question and the responsibilities of the Treasurer in relation to government administration. The Minister for Consumer Affairs, Gaming and Liquor Regulation has clearly outlined the action that is being taken on the matter relating to the previous question. We are now clearly just going for the political cheap shot from the

member for Kew, and I ask that the question be ruled out of order.

Mr Clark — On the point of order, Speaker, I would have thought the question went to the credibility of the Treasurer as a minister of the Crown. If a minister of the Crown is giving endorsements of this nature, it is appropriate to ask whether he stands by that because it does go to whether or not he is to be regarded as being creditable in his capacity as Treasurer of this state.

The SPEAKER — Order! I ask the Treasurer to respond to the question insofar as it relates to any government business.

Mr PALLAS (Treasurer) (12:25) — I thank the member for Kew, the airhead apparent for the opposition. I make the point that there is nothing in this question that relates to my ministerial portfolio — nothing even vaguely relevant — so there is nothing for me to answer.

Supplementary question

Mr T. SMITH (Kew) (12:26) — Treasurer, can you guarantee that neither you nor any member of your staff have been involved in the fraudulent charity Let's Feed and the associated activities of Mr Jasvinder Sidhu?

Honourable members interjecting.

The SPEAKER — Order! The member for Ferntree Gully!

Ms Allan — On a point of order, Speaker, *Rulings from the Chair* identifies that a member may only ask a question relating to a minister's current responsibility. The Treasurer has already indicated in his response to the substantive question that he finds the subject matter outside of his responsibility as Treasurer, which I certainly concur with, so I ask that you rule this supplementary question out of order. In addition, it offends against the standing orders because of the reflections it makes on the Treasurer, which is also not in order.

Mr M. O'Brien — On the point of order, Speaker, I understand that the Treasurer's endorsement comes next to a photograph of him and his title: Tim Pallas, MP, Victorian Treasurer and member for Werribee. If he gave the endorsement as Victorian Treasurer, he needs to answer for it as Victorian Treasurer.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the House further on the point of order.

Ms Allan — No, it is in relation to the quote he just read.

Honourable members interjecting.

The SPEAKER — Order! I will remove members from the chamber if they continue to shout across the chamber. It is not on this point of order?

Ms Allan — No, Speaker. The member for Malvern was clearly referring —

Honourable members interjecting.

The SPEAKER — Order! I am yet to rule on the point of order, but I do need to be able to hear the Leader of the House in case she wishes to ask for a remark to be withdrawn or another matter.

Ms Allan — On another matter, Speaker, the member for Malvern was quoting from his phone, and I ask that that be made available to the house.

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition will leave the chamber for the period of half an hour.

Honourable member for Croydon withdrew from chamber.

Mr M. O'Brien — Further on the point of order, Speaker, I am not a member of the cabinet — I do not have to hand over my phone to the Premier.

Honourable members interjecting.

The SPEAKER — Order! I uphold the point of order. The question does not relate to Victorian government business.

Mr Gidley — On a point of order, Speaker, there is a tradition in this house that if the Speaker feels a question is out of order, then the person asking the question is provided with an opportunity to rephrase the question. I ask that you extend that courtesy to the member for Kew.

Ms Allan — On the point of order, Speaker, as I am sure you are well aware, that matter is at the discretion of the Speaker, and I would suggest that no such courtesy should be afforded to the member for Kew.

Mr Clark — On the point of order, Speaker, your ruling is on a case that is at best borderline, if I may say so with respect. The question referred to the Treasurer's members of staff, and I would have thought that it

would be open to a rewording of a question that may in your mind have been marginal to bring it clearly within the standing orders. The custom has been that where there is some potential for a slight rewording to bring the question into order the Speaker exercises their discretion in favour of it, and I submit that this is such an occasion.

The SPEAKER — I uphold the point of order and allow the member to rephrase his question.

Supplementary question

Mr T. SMITH (Kew) (12:30) — Treasurer, can you guarantee that neither you nor any member of your ministerial staff have been involved in the fraud charity Let's Feed and the associated activities of Mr Jasvinder Sidhu, given that you endorsed him on your ministerial Facebook page?

Ms Allan — On a point of order, Speaker, it is hard to see how that slightly rephrased question complies with the ruling you have previously made on this, and I ask that you rule it out of order.

Mr Clark — On the point of order, Speaker, the member has made clear that his question relates to the ministerial staff of the minister, not to his electorate staff or any other staff he may have. I would have thought the conduct of any minister's ministerial staff is a matter that is relevant to their portfolio, and on that basis the question is in order.

The SPEAKER — Order! I will allow the question.

Mr PALLAS (Treasurer) (12:32) — I thank the member for Kew for his question again, albeit I still consider the question far beyond my ministerial responsibilities. Nonetheless I make this point: the matters that the member refers to are the subject of an inquiry, as has been identified by the Minister for Consumer Affairs, Gaming and Liquor Regulation, and the minister made it quite apparent that she would not enter into any dialogue or commentary about it, and nor will I. That is the appropriate way that these matters should be held.

I make the additional point that there has been a value judgement about the nature of this organisation. I do not know anything about it, I do not know what the member for Kew knows about it, but I can assure you the pejorative implications that he has made are the subject of an inquiry and those matters should be left to run the normal course.

Ministers statements: drug trafficking

Ms NEVILLE (Minister for Police) (12:33) — Heroin causes significant harm in our community, and following the announcement today of a compassionate approach to treating people who are suffering and very unwell from their heroin addiction, I can assure the house that this in no way changes the commitment of this government or Victoria Police to disrupt drug networks in Victoria. Victoria Police does and will continue to target the trafficking and distribution of heroin. In fact in Victoria we have the highest proportion of heroin trafficking arrests of any state in the country, and that will continue. We take this issue very seriously, and that is why we have announced new laws that will reduce the threshold for what is considered trafficking. We will bring this into line with recent changes we have made with ice. This will mean lower thresholds of heroin to charge someone for trafficking, triggering very severe penalties: life imprisonment and 25 years for commercial trafficking. Police will have the powers they need to go after the dealers, the distributors — those who are profiting from harmful drugs and profiting on the back of the misery of so many Victorians, particularly in the North Richmond area.

This is just one part of a suite of measures that are designed to tackle drug harm in our community. As Loretta Gabriel told me when she met me in Barwon Heads recently, and as she said to Jon Faine this morning, this range of initiatives is absolutely essential. She knows this. She watched her son, who was only 27, lose his life to the scourge in Richmond, and she knows that a medically supervised injection room probably would have saved his life. These new laws are not about penalising those people who need a health solution but ensuring that police have what they need to target those who peddle misery in our community and who are making profits off the back of that misery.

Country Fire Authority gender diversity and inclusion

Mr GUY (Leader of the Opposition) (12:35) — My question is to the Premier. Following the publication of Professor Taylor's gender diversity and inclusion report, the equal opportunity and human rights commissioner warned victims that the commission is being watched by union thugs looking to silence them. She said that people were taking photographs of persons presenting at the commission to intimidate them. In the last two weeks since these shocking allegations came to light, Premier, have you done a single thing to protect those people who are giving evidence on bullying and harassment to the

commission? Premier, why are you doing nothing to protect those who protect us?

Mr Merlino interjected.

The SPEAKER — Order! I warn the Deputy Premier to cease interjecting across the table.

Mr ANDREWS (Premier) (12:35) — I thank the Leader of the Opposition for his question. At the time I think he may have asked me a question — this was certainly the subject of discussion in the chamber — I alluded to the fact that the Deputy Premier had agreed, and he had confirmed I think in the chamber himself, that he would be meeting with the commissioner. That meeting has occurred. It occurred last week, and the commissioner informed the Deputy Premier that she was not aware of surveillance of any participants attending the Victorian Equal Opportunity and Human Rights Commission offices for the purposes of attending a confidential interview. That is what she said to the Deputy Premier and Minister for Emergency Services, and I can add —

Honourable members interjecting.

Mr ANDREWS — That is what she said to the Deputy Premier last week, in full delivery of his commitment to meet with her, as is appropriate.

Honourable members interjecting.

Mr ANDREWS — That is what she said. It might not suit those opposite, but that is what she said, and we look forward to her report.

Mr Pesutto interjected.

The SPEAKER — The member for Hawthorn!

Mr ANDREWS — I think those opposite are definitely in need of a briefing. That is the answer to the question.

Supplementary question

Mr GUY (Leader of the Opposition) (12:36) — Premier, under your watch 14 senior fire services staff have been forced out, legislation to entrench union bullying has been exposed and is unable to be passed, you continue to block the human rights report and stand by while people giving evidence are —

Mr Pakula interjected.

The SPEAKER — Order! The Attorney-General!

Mr GUY — in the report — being photographed and intimidated. Everything you have done has failed to remove the toxic culture in the fire services. What possible reasons can you give Victorians, Premier, to refuse to back a royal commission to finally clean up your mess?

Honourable members interjecting.

The SPEAKER — Order! The Leader of The Nationals and the Attorney-General will come to order.

Mr ANDREWS (Premier) (12:37) — I thank the Leader of the Opposition for again demonstrating to all of us that he is just happy to make things up, just go through a long list. These challenges are very real. The government proposes to take very real action to remedy them. Those opposite have voted against that.

In terms of accusations around not being interested in a report or suppressing the report or varying the report, what an absolute nonsense from a desperate Leader of the Opposition. I remind him that it is this government that commissioned the report, and it has taken steps that I listed in detail in our last sitting week. I refer the Leader of the Opposition to *Hansard* to again see the comprehensive list of concrete steps and measures we have taken, in stark contrast to the indolence of those opposite for four long, wasted years, like the five wasted questions today.

Ministers statements: drug law reform

Mr PAKULA (Attorney-General) (12:38) — I rise to provide the house with an update on the significant reforms that the government has announced to deal with the devastating impacts of drug addiction and to keep the community safe. We have today announced a package of drug treatment reforms, including a safe injecting facility in North Richmond. That builds on a very proud record of a comprehensive approach to drug crime and drug addiction. We established the first Drug Court in Dandenong, and that has a proven record of reducing recidivism and improving community safety.

When we came to office we immediately established the Ice Action Taskforce, which developed the *Ice Action Plan*, to reduce the supply, demand and harm of the drug with \$45.5 million of investment behind it. Under stage 2 of the plan we launched the Melbourne Drug Court, which ensured 170 extra offenders could go through the program.

In 2015 we created new drug offences to ensure that ice dealers who peddle drugs to children in or near schools will spend up to 25 years in prison. We have banned synthetic drugs, and we have reduced the amount of ice

required for commercial drug-trafficking offences. And today the police minister has announced further harsh penalties for those who traffic heroin, as part of the reforms we introduced today.

Honourable members interjecting.

Mr PAKULA — You hear the heckling from those that opposed the first Drug Court. You hear the heckling from those that created two beds and two sniffer dogs in four years, the ones that thought —

Mr Clark — On a point of order, Speaker, the Attorney-General is now proceeding to debate the issue. I ask you to bring him back to making a ministers statement.

The SPEAKER — The Attorney-General will come back to making a ministers statement.

Mr PAKULA — I am indicating our pride in this package. Our legacy will not be thinking that the complexity of drug offending can be dealt with by sentencing alone; it will not be to play grubby politics with the second Drug Court; and it will not be, like the media release we have seen today, simply more of the same. We will have the imagination to improve community safety and the decency to save lives.

CONSTITUENCY QUESTIONS

Mr Burgess — On a point of order, Speaker, I am still waiting on an answer to my constituency question 13 031. I asked the Minister for Energy, Environment and Climate Change on 7 September 2017 to instruct her department to take immediate action to repair and then regularly maintain the road, roadsides and bridge on French Island.

The SPEAKER — Thank you. We will pursue that matter.

Mr Watt — On a point of order, Speaker, I raise a point of order with regard to question 13 124, and it was a question to the Minister for Water. I do note that the Minister for Water has been a serial offender when it comes to not answering questions. I have asked questions before and have not got answers. Once again I have got a question on notice that was put there on 21 September. It is now 31 October, and my constituents are asking for an answer. It is a very serious question that my constituents are interested in, and I would like you to get the minister to actually answer the question.

The SPEAKER — Order! I will follow that matter up.

Mornington electorate

Mr MORRIS (Mornington) (12:42) — (13 383) I raise a question for the Minister for Roads and Road Safety, in particular with regard to Mornington-Tyabb Road running between the Nepean Highway and Peninsula Link, although there are two distinct sections, essentially from Nepean Highway to Moorooduc Highway and then from Moorooduc Highway to Peninsula Link. The former section has a particular issue with significant traffic problems. It is a commercial precinct, a civic precinct that contains Mornington Racecourse and is also the main exit from the township of Mornington to Peninsula Link and Moorooduc Highway. VicRoads when they set up Peninsula Link actually thought traffic volumes would drop. They have not. They continue to climb and they are frequently referenced to me as a significant problem for residents, particularly of the area. So I ask: what are the most recent traffic counts on Mornington-Tyabb Road between Nepean Highway and Moorooduc Highway, and between Moorooduc Highway and Peninsula Link?

Yan Yean electorate

Ms GREEN (Yan Yean) (12:43) — (13 384) My question is to the Special Minister of State in the other place. I refer to the family violence hub that was funded in this year's state budget for the north-eastern suburbs, and I ask the minister: when will this hub open and in what location will it be?

Gippsland East electorate

Mr T. BULL (Gippsland East) (12:44) — (13 385) My constituency question is for the Minister for Police. The information I seek is: what is the plan to cover police absences from the Omeo and Swift Creek one-man stations when they occur? I have been advised by several local residents that there have been a number of times recently, including this week, when both officers have been absent or off-duty and policing coverage is provided from Bairnsdale. This of course is unacceptable to the community as Omeo is 90 minutes away and other locations covered by this station are over 2 hours away from Bairnsdale, particularly as we know the fire season is underway and we have had fires in recent weeks in this area. So we must have one person on duty as a minimum.

What has angered some locals is a recent comment made in the media that police are aware of a week when both police will be on leave but no person would be stationed at either station as a replacement. So I ask

the minister: what is the plan to cover these absences when they occur?

Broadmeadows electorate

Mr McGUIRE (Broadmeadows) (12:45) — (13 386) My constituency question is to the Minister for Sport. The information I seek is an update on the Hume City Council *Criterion Cycling Facility: Feasibility Study*. Constituents in Melbourne's northern suburbs want a facility for recreational cycling and club racing. Many families and cyclists could use the criterium course, clubs could book the course for racing and training, and the rest of the time it could be used by the public, including as a driver training centre. There could also be a multitude of BMX and cyclocross tracks and a state-of-the-art velodrome built within the criterium track, similar to the sports complex at Casey Fields.

Burwood electorate

Mr WATT (Burwood) (12:45) — (13 387) My question is to the Minister for Public Transport. I use the route 75 tramline regularly, and I have noticed that the Public Transport Victoria website states that tram stop 63 on that line is a wheelchair-accessible tram stop. Having used that tram stop a number of times, noting that the only way I can get to that tram stop is via the underpass and up about 30 steps, I was wondering whether the minister might be able to explain to me, if I was in a wheelchair, how I would access the wheelchair-accessible number 63 tram stop if I wanted to travel to Deakin University.

Honourable members interjecting.

Mr WATT — Some on the other side might think this is a little bit comical, but it is supposed to be a wheelchair-accessible tram stop, and the only way I see that I can get there is, as an able-bodied person, walking up 30 stairs. I am wondering how someone in a wheelchair might be able to make that trip.

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) (12:46) — (13 388) My constituency question is for the Minister for Sport, and I ask: what is the status of Pascoe Vale Sports Club's application for funding under the current round of community sports infrastructure grants? I understand that the Pascoe Vale Sports Club application is for funding to upgrade the facilities at Hallam Reserve in Pascoe Vale. This is particularly important to the club and certainly to me, as this is the facility and the ground that services the women's teams at the Pascoe Vale Football Club. The current facilities for

women are inadequate and do not come close to accommodating the number of female players that use these facilities, particularly given the growth that we have seen in female participation in AFL. In 2016 there were 51 female players at the Pascoe Vale Football Club, and in 2017 there are 135, representing a growth of over 150 per cent. The team has enjoyed great success on and off the field and certainly is deserving of improved facilities.

Rowville electorate

Mr WELLS (Rowville) (12:47) — (13 389) The question I wish to raise is for the Minister for Police. Minister, given the increase in crime under the Andrews government, why has there been a substantial cut in the number of frontline protective services officers (PSOs) by 31 full-time positions from December 2016 until June of this year? This is the first time since 2011 there has been a cut to the number of PSOs assisting and protecting Victorians who use public transport.

With Melbourne's booming population and the Night Network now running permanent late-night train services on weekends, the presence of PSOs will be stretched more thinly than ever before. Perceptions of public safety for people using public transport increased dramatically once PSOs began patrolling railway stations. Six years on it is absolutely clear that the Liberal-Nationals' PSO policy has been an outstanding success. Now it seems the Andrews Labor government is increasingly prepared to risk the safety of the travelling public, even on late-night rail services during the small hours of the weekend.

Macedon electorate

Ms THOMAS (Macedon) (12:48) — (13 390) My question is for the Minister for Public Transport. Minister, it was fantastic to have you at Macedon railway station recently, where you were able to experience for yourself just how cold it can get waiting for a train on the platform there and when you made a commitment to delivering a warm shelter. Minister, can you now let me know when works will commence on this project? While we are in the middle of spring, it was only 5 degrees in Macedon this morning.

Ripon electorate

Ms STALEY (Ripon) (12:49) — (13 391) My question is to the Minister for Planning. Has the minister approved the new incorporated document for section 2b of the Western Highway duplication, between Buangor and Ararat? The planning document was disgracefully

allowed to lapse in mid-2015, and reincorporation of that document is required to get the highway started again. It is my information that there has been no work done on this section of the road, and it is now too late for it to be done in this coming road season, putting it back now by a further year. The contract has also lapsed. This has just become a spiralling debacle, with no roadworks continuing, so I ask the minister: has this incorporated document been approved?

Williamstown electorate

Mr NOONAN (Williamstown) (12:50) — (13 392) My question is for the Minister for Small Business. In the last financial year, 2016–17, more than 7700 small businesses accessed support from the Small Business Bus right across the state. I think these visitations have been enhanced following the acquisition of a second bus in 2015. I understand that this bus will be visiting the Williamstown electorate early next month, so my question to the minister is: what type of support and services will businesses in the Williamstown electorate be able to access when the bus visits the Williamstown electorate?

Mr Watt — On a point of order, Speaker, the member for Broadmeadows asked for an update. Clearly it is an action and not within the standing orders, so I ask you to rule his question out of order.

The SPEAKER — I did hear the member for Broadmeadows ask for information on an update. I will check *Hansard* for the exact wording and report back to the house at a later time.

Mr McGuire — On the point of order, Speaker, I asked for information.

The SPEAKER — I will review the matter and come back to the house.

WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2017

Introduction and first reading

Ms NEVILLE (Minister for Water) — I move:

That I have leave to bring in a bill for an act to make miscellaneous amendments to the Water Act 1989 and the Catchment and Land Protection Act 1994 and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the bill.

Ms NEVILLE (Minister for Water) — The bill amends the Water Act 1989 and the Catchment Land

Protection Act 1994 to implement key actions of *Water for Victoria*, including recognition and involvement of Aboriginal Victorians in the management and planning of waterways and catchments, greater recognition of the social and recreational value of water for communities, and improving the framework for water resource assessments and sustainable water strategies. The bill also improves the current legal framework for the imposition of salinity charges to mitigate or offset the salinity effects of irrigation.

Motion agreed to.

Read first time.

SERVICE VICTORIA BILL 2017

Introduction and first reading

Mr PAKULA (Attorney-General) — I move:

That I have leave to bring in a bill for an act to provide for the delivery of government services to the public by Service Victoria and for other purposes.

Mr CLARK (Box Hill) — I ask the Attorney-General to provide a brief explanation of the bill further to the long title.

Mr PAKULA (Attorney-General) — The Service Victoria Bill 2017 seeks to establish Service Victoria to provide whole-of-government customer service and identity verification functions on behalf of departments and agencies. In doing so, the bill seeks to improve the customer service experience by streamlining the government's customer services and enabling a consistent identity verification process so citizens do not have the inconvenience of providing identity information on multiple occasions to different agencies. The bill requires the service delivery agency minister and the Service Victoria minister to agree in writing to the transfer of relevant customer service and identity verification functions to Service Victoria. The legal transfer of functions is to be done through regulations.

Motion agreed to.

Read first time.

STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017

Introduction and first reading

Ms ALLAN (Minister for Major Projects) — I move:

That I have leave to bring in a bill for an act to amend the Congestion Levy Act 2005, the Duties Act 2000, the Fire Services Property Levy Act 2012, the Land Tax Act 2005, the Payroll Tax Act 2007, the Taxation Administration Act 1997, the Unclaimed Money Act 2008, the Valuation of Land Act 1960, the Victorian Civil and Administrative Tribunal Act 1998 and certain other acts as a consequence of the amendments made to the Valuation of Land Act 1960 and for other purposes.

Mr CLARK (Box Hill) — I assume this bill is a Treasurer's bill rather than a bill of the minister, but nonetheless I would ask, to the extent that she can, that the minister provide a brief explanation to the house.

Ms ALLAN (Minister for Major Projects) — I am delighted to do my best on this. This is indeed a Treasurer's bill, as the member for Box Hill has astutely pointed out. It contains in the one bill a number of amendments to other acts to implement government policy around areas like the congestion levy and the property levy. I do not want to go through and repeat all of the titles of the acts, but this bill is about enacting previously announced government policy that contains these matters that involve the Treasurer's portfolio.

Motion agreed to.

Read first time.

**DRUGS, POISONS AND CONTROLLED
SUBSTANCES AMENDMENT
(MEDICALLY SUPERVISED INJECTING
CENTRE) BILL 2017**

Introduction and first reading

Mr FOLEY (Minister for Mental Health) introduced a bill for an act to amend the Drugs, Poisons and Controlled Substances Act 1981 to provide for the licensing, for a trial period and at a single specified site, of the operation of a single medically supervised injecting centre for certain kinds of drugs of dependence and for other purposes.

Read first time.

VISIT VICTORIA

Report 2016–17

Mr FOLEY (Minister for Housing, Disability and Ageing), by leave, presented report.

Tabled.

**PUBLIC ACCOUNTS AND ESTIMATES
COMMITTEE**

Budget estimates 2017–18

Mr PEARSON (Essendon) presented report, together with appendices, extract from proceedings and transcripts of evidence.

Tabled.

Report, appendices and extracts ordered to be published.

**SCRUTINY OF ACTS AND REGULATIONS
COMMITTEE**

Alert Digest No. 15

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 15 of 2017* on:

**Commercial Passenger Vehicle Industry
Amendment (Further Reforms) Bill 2017**
Compensation Legislation Amendment Bill 2017
Fines Reform Amendment Bill 2017
Firearms Amendment Bill 2017
Firearms Amendment (Advertising) Bill 2017
Gambling Legislation Amendment Bill 2017
**Gambling Regulation Amendment (Gaming
Machine Arrangements) Bill 2017**
**Offshore Petroleum and Greenhouse Gas Storage
Amendment Bill 2017**
Victorian Data Sharing Bill 2017
Voluntary Assisted Dying Bill 2017
SR No. 41 — Road Safety Road Rules 2017

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Acting Clerk:

Federation Training — Report 2016

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2016–17 of:

Alpine Resorts Co-ordinating Council

Commissioner for Environmental Sustainability

Gippsland Waste and Resource Recovery Group

Goulburn Valley Waste and resource Recovery Group

North East Waste and Resource Recovery Group

Geoffrey Gardiner Dairy Foundation Ltd — Report 2016–17

Infrastructure Victoria — Report 2016–17

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Ombudsman — Investigation into the management of maintenance claims against public housing tenants — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Baw Baw — C117

Boroondara — C253

Cardinia — C211

Frankston — C100

Greater Geelong — C352, C371

Hume — C176

Knox — C156

Latrobe — C97

Loddon — C39

Melbourne — C190 Part 1, C295

Mitchell — C119

Moira — C79

Mount Alexander — C78

Moyne — C63

Port Phillip — C137, C155

Wangaratta — C73

Whittlesea — C69, C206

Yarra — C235

Yarra Ranges — C158 Part 1

Recreational Fishing Licence Trust Account — Report 2016–17 on the disbursement of revenue

Statutory Rules under the following Acts:

Metropolitan Fire Brigades Act 1958 — SR 104

Transport (Compliance and Miscellaneous) Act 1983 — SR 105

Subordinate Legislation Act 1994

Documents under s 15 in relation to Statutory Rules 104, 105

Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Determination of Fees

Victorian Inspectorate — Report 2016–17.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the house dated 24 February 2015:

Commercial Passenger Vehicle Industry Act 2017 — Division 2 of Part 3 — 2 November 2017 (*Gazette S351, 17 October 2017*)

Owner Drivers and Forestry Contractors Amendment Act 2017 — Whole Act — 1 November 2017 (*Gazette S359, 24 October 2017*)

WorkSafe Legislation Amendment Act 2017 — Remaining provisions — 26 October 2017 (*Gazette S359, 24 October 2017*).

JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

ROYAL ASSENT

Message read advising royal assent on 24 October to:

Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017
Environment Protection Bill 2017
Health Legislation Amendment (Quality and Safety) Bill 2017
Parks and Crown Land Legislation Amendment Bill 2017.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017
Gambling Legislation Amendment Bill 2017
Victorian Data Sharing Bill 2017.

BUSINESS OF THE HOUSE

Program

Ms ALLAN (Minister for Public Transport) (13:02) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 2 November 2017:

Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017

Fines Reform Amendment Bill 2017

Firearms Amendment Bill 2017

Victorian Data Sharing Bill 2017

Compensation Legislation Amendment Bill 2017

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017.

There are six bills on our program this week, and they are six bills that have considerable policy matters that

need to be dealt with, which means we will have a very full program for the course of the week. In addition to those six bills we also need to transact the business that has just been referred to us from the Legislative Council. There are four bills that we need to deal with, and the government intends to deal with them this afternoon immediately after members statements so that those bills can continue through the parliamentary process.

I should also indicate to the house that the opposition, through the manager of opposition business, has sought that the Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017 be considered in detail during the week, and that will not be until Thursday because that is when the bill is first available to the house. I have indicated to the manager of opposition business that I would be thrilled, given it is my bill, to consider this proposal, and pending the availability of time I do not see why that could not be accommodated in our normal business this week, given that we are in a more normal week than we had previously.

As a result of the tremendous expression of goodwill the government is expressing on this issue, I would be hopeful, as I always remain, that the house will unanimously support the government business program that I have put forward. As I have said, it is a big policy workload this week that has a number of critically important matters to consider.

Also during this week a matter of public importance will be put forward by the Greens political party. I make note of that because it is not a usual thing, but given we now have a broader cross-representation in the Legislative Assembly, everyone's turn comes up, and this week there is the opportunity for the Greens political party to propose a matter of public importance. We wait to see what they propose to be the subject matter for that debate on Wednesday afternoon.

With those observations and comments, I remain optimistic. I can see no good reason the opposition will not support this sensible, productive, engaged government business program that the government has put forward for this sitting week.

Mr CLARK (Box Hill) (13:05) — Needless to say, the opposition does not share the Leader of the House's enthusiasm about the quality of the bills that are being brought before the house. Nonetheless, we will of course do our duty of holding the government to account and subjecting them to the scrutiny which they need and deserve.

A number of the bills reflect complex issues, some of which the government has struggled to handle over a

considerable period of time, including the commercial passenger vehicle industry restructure, which has wrought a huge amount of devastation on many honest citizens already and which the government is now struggling to bring to the house in a second stage.

The government business program includes the Fines Reform Amendment Bill 2017, which again the government, while building on reforms that were commenced under the previous government and which set a broad direction which, needless to say, I am very supportive of, has struggled to bring into operation. The bill that we will be considering attempts to deal with some of the matters that the government has been unable to deal with to date.

The Firearms Amendment Bill 2017 again raises a wide range of issues. It is a bill with far-reaching implications. Some of those are potentially positive. Others need very careful scrutiny, and a number of issues are likely to be raised in relation to them.

The Victorian Data Sharing Bill 2017 also in some respects seeks to build on reforms that were initiated under the previous government by the then Assistant Treasurer and to some extent by me in my capacity as Attorney-General. However, there are a range of concerns about the manner in which the government is going about seeking to enhance data sharing across the public sector. Again that is a matter that deserves considerable attention.

We appreciate the fact that the Leader of the House has indicated that she is favourably disposed towards the consideration in detail of the Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017, which, as I have indicated, is amongst a number of bills that deserve and would benefit from scrutiny in detail. I reiterate the fact that, although we are now generally getting into a situation where one bill a week receives consideration in detail, that is still a long way away from the government's commitment that such consideration in detail would be a standard and normal part of procedure in this house.

Notwithstanding those matters, if there were not other things hanging over the head of this house and over the head of the government, we would not take objection to the program. But I do return to the point that I have made time and time again on previous occasions that there is important business that this house needs to be dealing with that yet again is not on the government business program — that is, the serious allegations of rorting and abuse of office that continue to hang over the heads of the former Speaker and former Deputy Speaker of this house, the members for Tarneit and

Melton. While I find myself making similar points over and over again, those points remain true. These matters need to be dealt with because, as I have said on previous occasions, these are not simply allegations of abuse of office by individual members of this house, grave as those are and grave as members of the now government acknowledged them to be when they were raised in relation to a member of the other side of the house when they were in opposition.

These matters relate to allegations of abuse of office by those who were entrusted by this house with upholding the standards of this house and setting an example for this house. Time and time again the government has refused to deal with those matters. It has refused to refer them to either a special select committee or the Privileges Committee. For that reason, while those matters are not to be dealt with on the government business program, there is no indication that the government has any intention of dealing with them, and we on this side of the house oppose the government business program.

Mr PEARSON (Essendon) (13:10) — I am delighted to make a contribution to debate on the government business program. I share the Leader of the House's great enthusiasm for this outstanding program. It is a full, jam-packed program, and it is symptomatic of a government that has come to this place with a grand vision — a vision of delivering good government to this state.

I was reminded in the break of the great contribution of Gaius Gracchus and Tiberius Gracchus, who used the tribune of the plebs to introduce major agrarian reform in the late republican period of Rome. That was of course followed up by Publius Clodius Pulcher, who subsequently introduced mandatory free grain for the poor in ancient Rome. Again it was a case where you had people who had a clear vision of what they wanted to do and who used a legislative instrument to effect great social change. When you see a government business program like this, it stands in the great tradition of the Gracchus brothers.

As I indicated, there is a full workload before us. We have got six bills that we are debating in this place, plus of course we must deal with the four other bills that have been returned to this place by the Legislative Council.

I pick up the member for Box Hill's contribution. I think the member for Box Hill made this contribution earlier this year or late last year. He clearly got his contribution and stuck it in a jar of formaldehyde, and every government business program debate, out it comes. He is just recycling the same boring, tedious

arguments over and over again. I will say that the member for Box Hill, nonetheless, is consistent. He consistently recycles the same old tired speech. It is becoming tiresome; it is tedious. Again it just demonstrates that when confronted with a bold, ambitious agenda that this government has to deliver good government to this state, the member for Box Hill and those opposite will seek to obstruct, to delay and to oppose us every step of the way. But in the great tradition of the Gracchi we will continue delivering great administration to this state, and I commend the government business program to the house.

Ms STALEY (Ripon) (13:12) — It is always such a pleasure to follow the member for Essendon and to once again be brought back to the late republic period of Rome and to be reminded that those people, who were people of great vision who effected great social change, are apparently in some way connected to the government business program, which has on it the Fines Reform Amendment Bill 2017 and the Victorian Data Sharing Bill 2017. They are both worthy bills, I am sure, but perhaps not in the league of the changes made in the period the member for Essendon just referred to.

Like the manager of opposition business, I rise to oppose the government business program, and I do so for similar reasons to those of the member for Box Hill. I note that we are only going into a consideration-in-detail stage for one of the six bills on the program, despite the government's promise before the election that consideration in detail would be routine. Clearly one out of six is not routine, and attempts by the Leader of the House to somehow say that considering one bill in detail per sitting week somehow meets the commitment falls very far short. There are serious issues and complex legislation to be discussed, and I for one think that at least a couple of the other bills should be going into a consideration-in-detail stage.

The main thing that is missing from the government business program is any consideration of the behaviour of the members for Tarneit and Melton in rorting their second residence allowance. We are absolutely in the correct place to deal with this matter. There is no-one else. It is actually up to us to think about how we deal with those of our own who are misbehaving. The appropriate way is to send their cases to the Privileges Committee, and the appropriate way to send somebody to Privileges is through the house. But time and time again the government refuses to bring on any debate on the rorting by the members for Tarneit and Melton.

Of course that is just part of the pattern of this government. We have had the red shirts. That matter has been taken to the High Court, and they are still trying to stop the Ombudsman talking about that. We have had Patch and Ted when former Minister Herbert rorted a ministerial allowance. And even today in question time we were told that there is in fact an investigation going on into the rorting of charity donations potentially to pay for Labor memberships, including, as we hear from the Treasurer, the possible role of the Treasurer's staff in this. Every week we appear to have a new front opened through which this government seeks to rort the people of Victoria, the taxpayers of Victoria, and to completely ignore the proper behaviour required of parliamentarians to set standards for the rest of the community.

For that reason the government business program is deficient. We are not dealing with the members for Tarneit and Melton's rorting, and until we do so we will continue to oppose this program.

Mr CARBINES (Ivanhoe) (13:17) — I am pleased to add my support for the government business program, particularly in relation to the six bills on the program. I am particularly looking forward to making a contribution with regard to the Fines Reform Amendment Bill 2017, which of course picks up on the 227 recommendations of the Royal Commission into Family Violence, which the government has adopted in full. We are working our way through each and every one of those recommendations. We will go further into the details of that bill and the opportunities it provides for relief for the victims of family violence. There is a particularly important aspect in relation to the Fines Reform Amendment Bill 2017 that we will be dealing with today.

As the Leader of the House alluded to, there will be four bills returning from the Legislative Council that the Assembly will need to deal with, and that will be happening after members statements. I note also that the manager of opposition business touched on requests for consideration in detail, particularly in relation to the Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017. Of course it was our government that gave a commitment to provide that greater level of scrutiny and opportunity for consideration in detail on bills, and we saw that certainly in the previous week here in the Parliament but also in relation to removing cattle from the High Country. That was one bill I was particularly pleased to see pass this Parliament — and the opportunity was provided for consideration in detail. As the Leader of the Government has indicated, there will be further opportunity, time permitting, to avail the opposition of

only scrutiny on their part in relation to that bill, but also to talk in further detail about those reforms and why they are so important to Victorians.

It is not often that I pick up on matters raised by those opposite, but there was some mention made by those opposite around the Privileges Committee. I do remind them that if they go back to the previous term of this Parliament, it was members among those opposite who had to resign from the Privileges Committee and resign from their ministries in fact because they could not adhere to the conventions of the Parliament, the way in which we are meant to conduct ourselves as members of the Privileges Committee and how we are meant to conduct ourselves as ministers. A former member for Kew might recall those matters, if he were still here.

Those opposite need to dig back a little bit further into their murky memories of being held to account by those on this side, which was clearly affirmed at the ballot box due to the way in which they behaved when they were in government and their inability to pay any respect to this, as we see time and time again from members of conservative governments. The inability to respect the conventions and laws of the land and the conventions of the Parliament was on display time and time again from those opposite in the previous Parliament, so I do remind them that they have a very clear track record of not upholding some of the standards and the conventions of this Parliament in relation to the committees of this house, and that is something they should reflect on.

Can I say again this is a very fine opportunity for the house to consider some particularly important matters. I will be meeting shortly with representatives from some of the gambling organisations, in particular advocates for fairer, more responsible laws in these areas of public policy, to pick up on a number of the reforms that the Andrews government has led in this space, and so I think it is important that there is an opportunity also to debate this week the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017.

With those few words I again commit my support for the government business program, which picks up on 10 bills — six from the government to be debated in this chamber and four returning from the Legislative Council. These are opportunities to repeat and reaffirm our commitment at the election to provide opportunities for consideration in detail in relation to the Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017 and of course opportunities for those opposite to demonstrate their willingness to engage in the reforms that our government has continued to deliver in many public policy areas for Victorians, with their

support, in this Parliament. I commend the government business program to the house.

Mr HIBBINS (Pahran) (13:21) — I speak on the government business program. The Greens will not be supporting the business program in this instance for a couple of reasons. First is the same reason we have opposed it for some months now: the failure of the government to refer the former Speaker and former Deputy Speaker to the Privileges Committee. I think anyone would see that that is the commonsense approach. Just sitting on it and waiting until some other investigation occurs is really not appropriate. If the Privileges Committee saw fit to delay their investigation and their views on the matter and to wait for the police investigation or other investigations, that is a matter for them and not a matter for the Parliament. It continues to cast a shadow over this place that the government has failed to refer those members to the Privileges Committee.

The second reason is the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017. One would think that it is probably a bit early to be bringing forward this bill that puts in the licensing arrangements for pokies after the current arrangements expire in 2022, when we have heard some extraordinary allegations made against Crown Casino and indeed the regulator in relation to tampering with pokies. Those are incredible allegations, and certainly one would think that the government might be inclined to see the outcome of the investigations into those allegations before setting in place a long-term licensing arrangement for pokies into the future. Given the fact that we are proceeding with this bill when those allegations are still being investigated against both Crown Casino and the regulator itself, I would think that the government would be well advised to wait to see the outcome of those investigations. The Greens will not be supporting the business program in this instance.

House divided on motion:

Ayes, 44

Allan, Ms	Knight, Ms
Andrews, Mr	Languiller, Mr
Blandthorn, Ms	Lim, Mr
Bull, Mr J.	McGuire, Mr
Carbines, Mr	Merlino, Mr
Carroll, Mr	Nardella, Mr
Couzens, Ms	Neville, Ms
D'Ambrosio, Ms	Noonan, Mr
Dimopoulos, Mr	Pakula, Mr
Donnellan, Mr	Pallas, Mr
Edbrooke, Mr	Pearson, Mr
Edwards, Ms	Perera, Mr
Foley, Mr	Richardson, Mr
Garrett, Ms	Scott, Mr

Graley, Ms
Green, Ms
Halfpenny, Ms
Hennessy, Ms
Howard, Mr
Hutchins, Ms
Kairouz, Ms
Kilkenny, Ms

Spence, Ms
Staikos, Mr
Suleyman, Ms
Thomas, Ms
Thomson, Ms
Ward, Ms
Williams, Ms
Wynne, Mr

Noes, 39

Angus, Mr
Asher, Ms
Battin, Mr
Blackwood, Mr
Britnell, Ms
Bull, Mr T.
Burgess, Mr
Clark, Mr
Crisp, Mr
Dixon, Mr
Fyffe, Mrs
Gidley, Mr
Guy, Mr
Hibbins, Mr
Hodgett, Mr
Katos, Mr
McCurdy, Mr
McLeish, Ms
Morris, Mr
Northe, Mr

O'Brien, Mr D.
O'Brien, Mr M.
Paynter, Mr
Pesutto, Mr
Riordan, Mr
Ryall, Ms
Ryan, Ms
Sandell, Ms
Sheed, Ms
Smith, Mr R.
Smith, Mr T.
Staley, Ms
Thompson, Mr
Tilley, Mr
Victoria, Ms
Wakeling, Mr
Walsh, Mr
Watt, Mr
Wells, Mr

Motion agreed to.

MEMBERS STATEMENTS

Battle of Beersheba commemoration

Mr THOMPSON (Sandringham) (13:29) — Today marks the 100th anniversary of the Battle of Beersheba, which led to the liberation of Jerusalem and the establishment of the modern state of Israel. I pay tribute today to the inspired leadership of General Sir Harry Chauvel and his decision to charge Beersheba against the odds. A plaque at St Paul's Cathedral, Melbourne, honours Chauvel:

... whose inspiring leadership carried his forces to final victory in spite of unprecedented hardships and whose Christian regard for his men continued undiminished during the years of peace.

A former Australian Prime Minister described Chauvel as one of the greatest soldiers that Australia has ever produced.

Today I also honour members of the Desert Mounted Column, including Major Eric Hyman, DSO, of the 12th Australian Light Horse Regiment and Lieutenant Colonel Murray Bouchier, DSO, of the 4th Australian Light Horse Regiment, who were at the vanguard leading the charge. Bouchier was later Deputy Premier of Victoria and was elected unopposed several times. Australian artists Jennifer and Ron Marshall brilliantly

depict Major Hyman, an Australian of Jewish heritage, leading the 12th Australian Light Horse regiment in their painting *CHAAAARRGE!*. I acknowledge the Sir Harry Chauvel Foundation and its chair, Lieutenant Colonel Graeme Smith, and the contributions of the Chauvel family, including Dr Richard Chauvel and Dr Honor Auchinleck.

Federal member for Dunkley

Mr EDBROOKE (Frankston) (13:31) — I would like to read a statement released by the Frankston mayor last week. It confirms as false and baseless a recent wild accusation of the federal member for Dunkley, and it is of acute interest to my community. I quote:

As mayor, I'd like to put the facts on the table about recent statements claiming that 26 businesses have closed due to the Young Street improvement project works.

These comments do not accurately reflect the situation in Frankston city.

Council's analysis shows that the current level of business closures in the area affected by the works —

which I note includes side streets —

is consistent with the previous two years ...

This statement conclusively puts to bed a whole sideshow of negativity and silly behaviour by the federal member for Dunkley and his close colleague the deputy mayor. This is energy that should have been put into Frankston but was instead used to pull Frankston down.

It is frankly incredible that these two can be out in the wilderness alone together and so at odds with our council but with no evidence to support their accusations. I say, 'Just apologise to our community and move on'.

Alternatively, I would again, on behalf of many members of my community that have raised this issue, tell the member that if he wants to carry on like this, attacking our council, the Frankston Business Network and the Frankston Revitalisation Board's integrity, effectively calling them liars, but still cannot produce any evidence to support his claims, it is simple — he needs to resign.

Young Street, Frankston

Mr EDBROOKE — As the final touches are being completed on Young Street, our community are looking forward to celebrating the opening, with a family fun weekend on 18 and 19 November. Three stages bursting with local musicians, dancers and circus

performers, along with a dedicated kids zone, will operate all weekend, welcoming people into Frankston and customers to our fantastic local businesses.

Level Crossing Removal Authority

Mr EDBROOKE — Last week it was great to see the state Minister for Public Transport open up our new Level Crossing Removal Authority hub.

Battle of Beersheba commemoration

Mr McCURDY (Ovens Valley) (13:32) — Today is the 100th anniversary of the Battle of Beersheba. The charge of the 4th Australian Light Horse Regiment at Beersheba occurred late in the afternoon of 31 October 1917 and is remembered as the last great cavalry charge. With time running out for the Australians to capture Beersheba and its wells before dark, Lieutenant General Harry Chauvel ordered the 4th Light Horse Brigade to make a mounted attack, moving directly towards the town. The 4th and 12th light horse regiments' casualties were 31 killed and 36 wounded; they captured over 700 men. The capture of Beersheba meant that the Gaza-Beersheba line was turned. Gaza fell a week later, and on 9 December 1917 the British troops entered Jerusalem.

Leading the charge was Murray Bouchier of Strathmerton, northern Victoria, who was a grazier turned soldier. He led his men, many of them from his own district, at full gallop over two miles into Turkish entrenchments and on for a further two miles into Beersheba to capture vital wells before the Turks could destroy them. Murray became the first officer into Damascus. The 4th and 12th light horse regiments were known from then on as 'Bouchier's Force'. For this exploit he was awarded the Distinguished Service Order and earned the nickname 'Bouchier of Beersheba'. He was promoted to brigadier and was knighted posthumously.

Last Saturday I held an event in Strathmerton at which many locals joined me for a tree planting, including Lorna Bouchier, who at 91 years old was very eager to pick up the shovel and fill the dirt in around the spotted gum that I hope will live for the next 100 years.

Murray went on to be the member for Goulburn Valley for the Country Party, which is now The Nationals. He became Minister of Agriculture and Deputy Premier. Our community in northern Victoria is richer for the lifetime of achievements of Sir Murray Bouchier. We thank him for his commitment.

Strathmore Primary School

Mr PEARSON (Essendon) (13:34) — I was delighted to attend the Strathmore Primary School fete on Friday. A big shout-out to school council president Heidi Fitzpatrick and principal Debbie Starpins. Strathmore Primary School is a fantastic local primary school. I am delighted at the fact that the redevelopment is currently underway to rebuild the school at a cost of \$5.7 million, and it was wonderful to inspect the construction underway.

Flemington public housing estate

Mr PEARSON — I was delighted to chair the very first Flemington consultative committee meeting last week. This consultative committee will guide the redevelopment of the Flemington public housing estate, and I congratulate all participants for their involvement in this important work.

Progress Kindergarten

Mr PEARSON — I was delighted to attend the Progress Kindergarten fete. Progress kinder is an independent, standalone kinder that has been servicing the community in Ascot Vale for 70 years. Special thanks go to president Nancy Larocca, vice-president Jessica Oliver, teacher Gail Brown as well as Richard and Amy Moloney.

Elisa Curry

Mr PEARSON — I was saddened to attend the funeral of Elisa Curry on Friday. I did not know Elisa but I know her husband, David, well. My thoughts go out to David and the children at this very difficult time in their lives.

David and Eileen Pearson

Mr PEARSON — As this will be the last chance for me to speak before the next sitting week, I would like to give a shout-out to my parents, David and Eileen Pearson, who will celebrate 49 years of wedded bliss next Thursday, 9 November. It has been a wonderful partnership, it has been a wonderful marriage and I am pleased for both of them. They are fantastic people, and it is a wonderful achievement.

Battle of Beersheba commemoration

Mr T. SMITH (Kew) (13:35) — I rise to commemorate the 100th anniversary of the Battle of Beersheba, and I recognise in the gallery this afternoon the head of the Zionism Federation of Australia, Dr Danny Lamm. The Australian-led victory at

Beersheba on this day 100 years ago led to the formation of the modern state of Israel. Why? Because the Ottoman Turks were eventually driven out of the land of Israel on 30 October 1918, when they surrendered. By taking Beersheba the British expeditionary force took Gaza and then it took Jerusalem, where General Sir Edmund Allenby walked into that great city, dismounted and paid homage to its religious sites. They then drove north to Damascus.

Thirty Australians were killed at the taking of Beersheba on this day 100 years ago. I have been to the commonwealth war grave which shows their great sacrifice and indeed the commonwealth effort from across New Zealand, the United Kingdom, India and other nations that led to the dismantling of the Ottoman empire in 1918. As has been recorded earlier, the 4th Australian Light Horse Regiment was led by Lieutenant Colonel Sir Murray Bouchier, who later became Deputy Premier of Victoria and the Country Party member for Goulburn Valley, and indeed Victoria's agent-general to London, where he died in 1937. These are important facts that ought to be put on the record for posterity.

YourCoffee

Ms GARRETT (Brunswick) (13:37) — I rise today to acknowledge the commitment this Labor government has shown to supporting local businesses and sustainable jobs. Recently I had the pleasure of attending the official launch of the YourCoffee facility, right in the heart of Brunswick, established with the help of this state governments financial support from the Local Industry Fund for Transition program of \$1.7 million to purchase new equipment and land for the facility. I would like to thank the former minister, the member for Williamstown, for his oversight and commitment to this project. It is very fitting that the newly minted minister, the member for Niddrie, is taking over from him; I know he will show that same passion for local jobs, particularly so close to his electorate as well.

The YourCoffee facility is the most amazing facility, created by Industry Beans, which was established in 2012 and provides accessible coffee roasting and beverage production services for hospitality, retail and commercial markets. It is an exceptional facility, not only producing fantastic local coffee but in incredibly uber cool surrounds — a bit of the best of Brunswick in every cup. It is the result of the hard work by co-founders and brothers Trevor Simmons and Steve Simmons. I am so proud of all of their successes as well as the contributions they are going to make, not only to the local Brunswick community but to the broader

coffee industry. I would like to thank them for their amazing local business, and also again the Victorian government for continuing to support this initiative.

Battle of Beersheba commemoration

Ms McLEISH (Eildon) (13:38) — I rise to commemorate the battle of Beersheba, which took place 100 years ago today. Making little progress early in the day the order came for a charge by the 4th Australian Light Horse Regiment — this surprising and highly strategic attack saw the fall of Beersheba. Among the Light Horsemen was Euroa boy and Victoria Cross recipient Leslie Maygar, whose life was sadly lost the next day.

The 4th Light Horse regiment was the only Australian unit during the First World War to fight on all three major fronts: Gallipoli, Egypt and Palestine, and France and Flanders. The majority of the Light Horsemen were country people. Brothers, cousins and friends signed up together. This has its pros and cons. The men had the support around them in trying conditions, but the heavy losses in a regiment often meant that many young men from one town were lost at the one time. Many took their own stock horses with them, and other horses were bred in the high country in and around Mansfield, including the Delatite station. The area in and around Yea was well represented in the 4th Light Horse brigade.

The McLeish family made a significant contribution to the war effort, which came at an awful cost. Boer War veteran Colonel Duncan McLeish fronted up again. He had commanded the first Victorian contingent to go to South Africa. His nephew Roy McLeish became second in command of that part of the 4th Light Horse regiment that went to the Western Front, winning a distinguished service order in the process. Roy's brother Harry was wounded in 1915. His arm was amputated and he was invalided home in 1916.

Brothers Ronald and William Carlyle McLeish enlisted. William died of typhus in Egypt and was buried in Cairo. Ronald was severely wounded in Gallipoli — he was shot in the head and his jaw was fractured. He was invalided home but died not long after.

McKinnon Secondary College

Mr STAIKOS (Bentleigh) (13:40) — Congratulations to all year 12s, who recently had their last day of school and will soon be entering the exam period. To celebrate, each year McKinnon Secondary College students produce a series of just hilarious videos. I was pleased to be able to assist with one of these videos this year, which included cameo

appearances by Channel Nine's Peter Hitchener and the Premier. This video involved a detailed examination of one of the most contentious issues at the school, that being the incidence of year 11s using the privileges of year 12s to sneak off to a 7-Eleven at lunchtime. The video was a lot of fun. Well done to young filmmaker Thomas Broadbent and the cast Francesco Torcasio, James Robertshaw, Lochie Carey, Max Kennedy and stuntman Skyler Kah.

Moorabbin Area Toy Library

Mr STAIKOS — Congratulations to Moorabbin Area Toy Library on their 30th anniversary. Well done to the many committee members over the 30 years who have kept the library going, which now offers over 2000 toys for loan. Families celebrated this milestone with the annual messy play day, which was very well attended. One of the most popular attractions on the day was a series of plastic crustaceans, including a lobster.

Bus route 823

Mr STAIKOS — It was a pleasure to be at Classic Residences retirement village yesterday to join residents on the first trip of the redirected 823 bus. Thank you to 90-year-old Doris Giles, who first brought to my attention the lack of public transport access for residents of the retirement village. Residents are delighted that the 823 picks them up at a brand-new, solar-powered bus stop outside their village and takes them direct to Southland, a very popular destination. For the first time ever, the retirement village has easy access to public transport, thanks to Doris and her strong lobbying.

Battle of Beersheba commemoration

Ms RYAN (Euroa) (13:41) — Today on this most important day, being 100 years since the charge of Beersheba, I want to acknowledge members of the Australian Jewish community in the gallery and also Honor Auchinleck and her husband, Mark, who I have had the pleasure of attending a number of events with over the last week. Of course Honor is the granddaughter of Sir Harry Chauvel.

On this day 100 years ago the 4th regiment of the Australian Light Horse and the 12th regiment, consisting mostly of young men from the Goulburn Valley, lined up for a do-or-die charge. The 4th was under the command of Murray Bouchier, while the 12th was led by Major Eric Hyman. They galloped across an open plain protected by Turkish riflemen, machine guns and aircraft to Beersheba, which held the only water supply in the area. Murray Bouchier was

described by the RSL upon his death as a 'splendid soldier and a born leader'. He personally accompanied the charge of the reserve squadron and assisted in fighting while also directing his men.

Following the battle, Bouchier received a Distinguished Service Order for his gallant courage, determination and skill. After the war he was promoted to the rank of brigadier. He returned to his farm at Strathmerton and, as we have heard, he was the leader at one stage of the Victorian Farmers Union, the forerunner of the present-day National Party.

Run for Change

Mr RICHARDSON (Mordialloc) (13:43) — Over the weekend our community came together for the Run for Change against family violence. In conjunction with Holmesglen Institute and in collaboration with Rosie Batty, more than 400 participants took to Bicentennial Park, Chelsea and raised very important funds for the Luke Batty Foundation and for Impact for women in refuge. It was an extraordinary event, and I want to pay tribute to everyone who came together and organised this important event.

Westfield Southland

Mr RICHARDSON — On another matter, our campaign locally continues against Westfield Southland. After teaming up with the Shop, Distributive and Allied Employees Association and strongly calling on Westfield to reconsider their decision to charge workers for parking, which will cost in excess of \$1300 each year for low-paid retail workers, we are calling again for Westfield Southland to heed our calls and to not hit the people who underpin their prosperity.

I was very privileged to join the newly minted Minister for Industry and Employment, who added his voice to this very important campaign, because along with him and the Victorian government we understand the importance of workers and the efforts they put in in the retail sector. We will stand with them and ask Westfield to reconsider this decision. My letter to Sir Frank Lowy still goes unanswered. The challenge to Westfield is to do the right thing by the people that underpin their prosperity and not hit the low-paid workers any further — \$1300 is too much for these workers.

Hornby Street–Dandenong Road, Windsor

Mr HIBBINS (Prahran) (13:44) — I rise to condemn the appalling way that VicRoads has handled the closure of the Hornby Street, Windsor, crossover. It

goes something like this: close the crossover with no warning to residents and no chance for consultation; months later, despite requests for a face-to-face meeting with VicRoads, tell people that if they have got any ideas, to send them an email; then wait for over a year to have an onsite meeting with residents and completely underestimate how many people will show up, resulting in a shambolic meeting, without anyone being able hear what was being said and confusion over whether the final decision had been made or not; months after that, hold a second meeting but tell residents that the decision has been made to permanently close the crossover, and that this is just to inform residents about how VicRoads came to that decision; and finally, almost two years after the original closure, put out material informing residents that works will be taking place to permanently close the crossover.

At no stage was there any meaningful opportunity for residents to have any input into this decision. This is not good enough. If VicRoads is incapable of handling community consultation for something as simple as a tram crossover, then we need to look at establishing formal community transport reference groups that would hold public meetings, so decisions like this cannot be made until the community has their say.

Creating Opportunity: Postcodes of Hope

Mr McGUIRE (Broadmeadows) (13:46) — My campaign for a smart cities deal for Melbourne's north won the overwhelming support of community leaders at the Northern Metropolitan Region Assembly attended by the Premier and five cabinet ministers. The plan won 72 per cent of the vote in the top category from about 160 community leaders, including mayors and chief executive officers from municipalities representing one of Australia's fastest-growing regions. My call to action was to deliver a smart cities deal for Melbourne's north, to aggregate assets and to create opportunities for new industries, jobs, lifelong learning, affordable housing and transport to create the 20-minute city sought by the three tiers of government, business and civil society.

The need to implement such a strategy is vital and urgent. I have uncovered an unspent \$1.324 billion that the Australian government refuses to reinvest to help create new industries and jobs following the end of the Ford Motor Company's car manufacturing in Broadmeadows, the designated capital of Melbourne's north. This compounds the reverse Robin Hood strategy that the one-term Victorian coalition government implemented against Broadmeadows by redistributing resources from one of our poorest communities struggling under deindustrialisation in a time of terror to sandbag marginal seats. The Turnbull

government has welcomed my strategy that Melbourne's north, and particularly Broadmeadows, be considered for the Smart Cities and Suburbs program. My call is for a coordinated strategy in the national interest, and for Melbourne's north to be given the same opportunities and funding as Sydney's west.

Within two decades one in 20 Australians is predicted to live in Melbourne's north, where the increase of half a million people means the population, already four times the size of Victoria's second-largest city, Geelong, will match the current population size of Adelaide. Boasting Australia's largest concentration of advanced manufacturing area, this is the place where investment —

The DEPUTY SPEAKER — The member's time has expired.

Justice system

Mr WELLS (Rowville) (13:47) — This statement condemns the Andrews Labor government for its appalling mismanagement of the Victorian justice system, as seen in the government's own department of justice annual report released this month. The report shows reoffending by criminals on community correction orders (CCOs) continues to rise at an enormous rate. Three years ago it was 20.8 per cent of those on CCOs, now it is 33.1 per cent.

Labor's record on rehabilitating prisoners is even worse: 43.6 per cent of prisoners in this state reoffend and end up back in prison. It is not surprising that the department of justice report shows key benchmarks not being met for prisoner involvement in education, employment and delivery of service agreements. The report is a wake-up call that Labor's soft on sentencing policies are simply not working. Yet Labor still rejects coalition calls to introduce mandatory minimum sentences for repeat offenders.

While Labor cuts frontline police numbers per capita, it has recruited non-sworn public servants to the justice department at more than three times the rate of police. Labor's warped funding priorities are creating a dysfunctional cycle, with fewer police at the front line to prevent crime and more offenders churned back through our overburdened justice system. Only a coalition government will crack down on crime and fix our broken justice system.

Neil Hendrickson

Mr J. BULL (Sunbury) (13:49) — It is with a very heavy heart that I rise to speak on the passing of Neil Hendrickson. Neil was a life member of the ALP,

71 years in fact. His wife, Pam, was also greatly involved at a branch level. Neil joined the party in 1946, while still at school. Coming from a political family, with his father Bert being a senator for Victoria from 1947 to 1971, Neil joined the North Caulfield branch at just 16 years of age, and not long after became the secretary of the branch. He was a campaign director for several candidates as well as president, secretary and treasurer. In 1987 Neil was made an ALP life member, and Pam followed shortly after in 1990. Neil never thought of his work as being hard work, as it was something that he and Pam believed in and were deeply passionate about.

Neil had thoughts of standing for the Senate in 1971, but knowing how much time public life requires he decided to keep his job at the Commonwealth Bank. Neil believed he was away from home enough, and he did not want to give up any more time that he could spend with his kids and family.

Neil's son Peter is just as involved as his father and grandfather were. Peter has been a loyal party member for many years and has served the state as a fantastic school principal of Sunbury College and many other schools throughout the north. My thoughts and prayers are with the Hendrickson family; they have my deepest condolences.

Tullamarine Primary School

Mr J. BULL — It was wonderful to tour Tullamarine Primary School with school principal Anna Ruhle and school council president Darlene Mayne. This is a fantastic school doing great things in my community.

Baw Baw Big Blokes BBQ

Mr BLACKWOOD (Narracan) (13:50) — On Friday, 20 October, the annual Baw Baw Big Blokes BBQ was held at Lardner Park. Around 660 men attended the event, which raises money for prostate cancer research. The message of the day is focused on raising awareness of prostate cancer and encouraging those present to take action at the first sign of symptoms that may be related to prostate cancer. Dr David Dangerfield, a medical specialist in prostate cancer treatment, delivered his usual punchy and direct message: each year in Australia close to 3300 men die from prostate cancer; around 20 000 new cases are diagnosed in Australia every year; and one in nine men in Australia will develop prostate cancer in their lifetime. Once again the day was a huge success, raising over \$180 000. Congratulations must again go to the

organising committee, who worked tirelessly planning the day and ensuring everything ran very smoothly.

Latrobe Valley Authority

Mr BLACKWOOD — Last sitting week I raised concerns about the Latrobe Valley Authority and the provision of assistance to former Hazelwood workers and their families and to businesses impacted by the closure of Hazelwood. Another ex-Hazelwood worker has come forward with his personal story of being denied access to assistance that should have been provided to him to move into a new career. Paul and Belinda Taylor have set up their own national broadband network contracting business with no help from the Latrobe Valley Authority, using their redundancy payment to cover costs of \$35 000 for tools and a vehicle for their new business. An application for \$4000 to assist with retraining has been denied. The Andrews government committed \$266 million to assist workers and their families put out of work by the Hazelwood closure. Clearly the Andrews government is failing workers and their families in the Latrobe Valley.

Breast Cancer Awareness Month

Ms KILKENNY (Carrum) (13:52) — October is Breast Cancer Awareness Month, and last Friday I hosted my annual pink brunch to help raise awareness about breast cancer and other diseases affecting women, such as cervical, ovarian and uterine cancers, and to talk about the importance of screening and early intervention. We were joined by more than 50 women, and some men, including paddlers with the Peninsula DragonFlys and the Dragons Abreast Patterson Lakes Pink Lotus dragon boat teams. I was also delighted to have representatives from Breast Cancer Network Australia join us.

I would particularly like to mention Marie Pandeloglou, who attended with her daughter, Nemo, and who spoke to us about her personal battle with breast cancer. We thought her story was going to end well, but it is not. Just the day before our brunch, Marie's doctor gave her the awful news that her breast cancer had spread to her lungs and that her life expectancy is 12–18 months. Marie showed such courage and commitment. All of us that day would have absolutely understood if she had sent her late apologies, but she did not. In her words, she decided to tell us that second part of her personal story, the one that does not have a happy ending, in the hope that she might encourage more women to book a screening for breast cancer or seek early intervention or a second opinion if there are any concerns. It was a privilege and an honour to have Marie and her daughter join us.

Great Carrum Spring Run

Ms KILKENNY — Over the past six Sundays I have been running the Great Carrum Spring Run. I have committed to run and walk my entire electorate of Carrum to raise awareness of breast cancer as well as funds for the Breast Cancer Network Australia. From the number of community members joining me on either the run or the walk each week, it is clear that so many people in my community have been touched by this cancer — a cancer that claims more than 700 Victorian women each year. I have four more Sundays to go.

Mount Waverley North Primary School

Mr GIDLEY (Mount Waverley) (13:53) — Today in the Parliament I rise to congratulate Mount Waverley North Primary School on its 50th anniversary. On 18 August 1997 Mount Waverley North Primary School was officially opened, following the merger of Syndal North Primary School and Waverley North Primary School. Whilst both Syndal North primary and Waverley North primary had strong education traditions, the merger of both to create Mount Waverley North Primary School set in place new education opportunities for future generations. I thank all involved in delivering education opportunities over those years through Syndal North Primary School, Waverley North Primary School and Mount Waverley North Primary School.

During my time as the state member for Mount Waverley district it has been tremendous to see firsthand the high value of those opportunities. I am also so pleased that the previous Liberal-Nationals government was able to deliver millions of dollars in capital works funding to undertake the school renovation in recent times. I offer my best wishes to the principal team, Natalie Grieve and Andrew James, who commenced earlier this year, and to all involved in Mount Waverley North Primary School both now and over the next 50 years.

Palliative care

Mr GIDLEY — Today in the Parliament I renew my call for the Andrews Labor government to finally act and follow the Liberal-Nationals' lead in providing proper funding levels for palliative care in Victoria. Under this government our state has a shocking and inexcusable lack of palliative care services. Overwhelmingly Victorians do not have access to the quality palliative care services that they deserve. Palliative Care Victoria estimates that each year at least 10 000 Victorians die having missed out on access to much-needed palliative care services. The

Liberal-Nationals have recognised this need and will deliver an extra \$140 million in funding for palliative care if elected. It is well and truly time for this government to do the decent thing and finally provide the necessary funding for palliative care in the state of Victoria.

Aeroplane Park, Braybrook

Ms THOMSON (Footscray) (13:55) — It has been three busy days in the electorate of Footscray. On Saturday I represented the Minister for Police at the opening of Braybrook's Aeroplane Park along with representatives of the Maribyrnong City Council and the community. Aeroplane Park was destroyed by arsonists in 2015, and the government gave us a substantial grant to enable its rebuilding, together with Maribyrnong City Council. The giant steel aeroplane with swings and wings and a traffic control centre are all back in the park. It looks amazing. It is safe, it is secure, it is a park for every family in Braybrook and one that I know they will enjoy.

Napier Street rail bridge

Ms THOMSON — On Sunday I joined the Minister for Roads and Road Safety at the Napier Street bridge, which is notorious for trucks hitting the bridge, to announce new upgrades. Laser detection systems will be installed at the approaches to the bridge to detect trucks over the height limit, and traffic signals will be installed to stop and divert drivers before they get to the bridge. If any truck driver hits that bridge now, with the three diversions they will be offered, they will deserve the fine they get.

Battle of Beersheba commemoration

Ms THOMSON — Yesterday I had the opportunity to join the federal Minister for Defence, Marise Payne, to celebrate 100 years since the Battle of Beersheba, with the unveiling of a statue to Sandy.

Neoen Grampians Pyrenees Business Awards

Ms STALEY (Ripon) (13:56) — The Neoen Grampians Pyrenees Business Awards were held on Friday in St Arnaud. I congratulate all the winners. In the excellence in viticulture category, Nancy Panter of SubRosa Wines won. I know Nancy from having served with her on the East Grampians Health Service board. I know she makes a great contribution there. The excellence in hospitality category was won by Steel Cutters Cottage in Great Western — Rohan and Marlene Erard. They were also finalists for a Golden Plate award. That is a local favourite for Stephen and me.

The Apprentice of the Year is Alyssa Heard of Chalambar Golf Club. I congratulate Alyssa. Excellence in Trades went to Sally and Ash Heard of G.J. Gardner Homes. I at this point give a shout-out to the many Heards of the region; you seem to be succeeding everywhere. The Best Retail Business was Sarah Holland of Skinco, and the Best New Business was Pyrenees Premium Cuts of Avoca. James and Hayley Colliccoat, congratulations. That is the butcher that Stephen and I travel from Ararat to shop at, they are that good.

Last week it was also the Six Nations Wine Challenge, and the best non-Bordeaux red went to the Blue Pyrenees Estate 2013. I am very pleased to have a bottle or two in my cupboard. Congratulations to them too.

Ann Del Borrello

Ms SPENCE (Yuroke) (13:58) — I rise today to congratulate local Yuroke resident Mrs Ann Del Borrello on the tremendous work she is doing to raise awareness about better hygiene practices and her fundraising efforts for the Sir Edward ‘Weary’ Dunlop Medical Research Foundation. Sadly, Mrs Del Borrello lost her husband at the age of 77 to swine flu, which has led to her campaign to promote better hygiene practices. Infectious diseases, including many that are spread through coughing and sneezing, can be particularly dangerous to our more vulnerable members of the community, including the elderly and young children.

Mrs Del Borrello held a fundraising lunch on Sunday last week. Moneys raised were donated to the Sir Edward ‘Weary’ Dunlop medical foundation. Weary, a truly great Australian and former prisoner of war, was particularly passionate about health. His foundation focuses on emerging medical research and health conditions that impact veterans, both those retired and still active. Mrs Del Borrello has said that she does not want her husband’s death to be in vain, and what a great way to honour him by educating others and by fundraising for such a worthy cause. Well done to Mrs Ann Del Borrello.

Neil Hendrickson

Ms SPENCE — On another matter, my heartfelt condolences to Peter Hendrickson and family on the passing of his father, William Neil Hendrickson, on 15 October. An ALP life member with 71 years membership, Neil was raised around politics, with his father, Bert, a senator. Neil joined the party while still at school and held many party positions through the North Caulfield branch and on many campaigns. This passion

was shared with his wife, Pam, and continued by his son Peter.

SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017

Council’s amendments

Message from Council relating to following amendments considered:

1. Clause 16, page 15, line 9, omit “has” and insert “is or has”.
2. Clause 16, page 15, lines 31 and 32, omit “, (b) or (c)”.
3. Clause 16, page 16, lines 3 and 4, omit “, (b) or (c)”.
4. Clause 16, page 16, line 17, omit “, (b) or (c)”.
5. Clause 16, page 16, line 31, omit “, (b) or (c)”.

Ms NEVILLE (Minister for Police) (14:00) — I move:

That the amendments be agreed to.

In relation to what these amendments relate to, firstly, the bill that went to the upper house related to the next step of the Harper reforms that we have committed to put in place and are putting in place. These reforms are some of the most comprehensive reforms in relation to corrections in over a decade since the post-sentence scheme was first set up. The bill was passed in the Legislative Council with some amendments made by members in that place. This bill sets up the Post Sentence Authority, which was a key recommendation of the Harper review, and it outlines the tasks of the authority and the membership.

The amendments that were made in the upper house go to the issue of the membership requirements of the authority, in particular the chair and the deputy chair. Those amendments were moved by the opposition. The amendments require the chair and deputy chair of the authority to have the same qualification requirements as the current chair and deputy chair of the Adult Parole Board of Victoria. That is specifically that those particular roles must be held by a current judge of the Supreme Court or County Court or a retired judge of the Supreme Court, the County Court or their equivalents. The amendments have removed the proposals that were in the original legislation that was passed by this house — that is, the proposals that limit candidates for the chair and deputy chair to be a retired judge of the Supreme Court, the County Court or their equivalents and the ability for Australian lawyers of five years experience to apply for those roles. As I said,

we are moving that these amendments be agreed to and incorporated into the bill.

Mr CLARK (Box Hill) (14:01) — The opposition welcomes the government's agreement to these amendments. As the minister indicated, they are amendments that were moved by the opposition in the Legislative Council, and they have the effect that the minister described of ensuring that the chair of the Post Sentence Authority is a retired judicial officer or serving judicial officer and not simply an Australian lawyer of five years standing. We do believe that is appropriate for an authority with as significant responsibilities as this and an authority which is taking over responsibilities from the Adult Parole Board of Victoria, which has a chair of similar authority. We do believe that it is appropriate, and we welcome the fact that the government has accepted the amendments that the opposition has put forward.

We do regret that the Legislative Council did not accept the other amendments that we put forward in relation to making clear that the Post Sentence Authority is not a body that comes within the Charter of Human Rights and Responsibilities Act 2006, because that does raise a number of significant issues that were canvassed in this house and in the Legislative Council previously. We believe it would have been far preferable for the Post Sentence Authority to not be under the Charter of Human Rights and Responsibilities Act, as the adult parole board is not. It is regrettable that those amendments were not accepted by the government, and we do fear that that may give rise to difficulties in future in ensuring that the Post Sentence Authority is able to operate effectively to protect the community.

We do at least welcome the amendments that have been made, and we will continue to closely watch how the establishment of the new Post Sentencing Authority proceeds and how effectively it is able to operate once it is established.

Motion agreed to.

PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 2, line 28, omit "1 March" and insert "30 June".
2. Clause 8, lines 13 to 29, page 6, lines 1 to 29 and page 7, lines 1 to 8, omit all words and expressions on these lines and insert—

25A Duty of a person who manages a boating activity event to ensure safety of participants and other affected persons

- (1) A duty holder who manages a boating activity event must, so far as is reasonably practicable, ensure the safety of participants in the boating activity event or persons affected by the boating activity event.

Penalty: In the case of a natural person,
1800 penalty units;

In the case of a body corporate, 9000 penalty units.

- (2) An offence against subsection (1) is an indictable offence.
- (3) Without limiting subsection (1), a duty holder contravenes that subsection if the duty holder fails to do any of the following—
 - (a) provide, so far as is reasonably practicable, participants with information to enable those participants to participate in the boating activity event safely;
 - (b) comply, so far as is reasonably practicable, with accepted safety standards or manuals that are specific to the type of boating activity event being undertaken;
 - (c) ensure, so far as is reasonably practicable, that rescue and first aid capabilities or services are available to participants in boating activity events.
- (4) For the purposes of this section, a duty holder manages a boating activity event if that duty holder organises, facilitates or controls a boating activity event.
- (5) In this section—

***boating activity event*—**

- (a) means an event on State waters that directly or indirectly involves vessel operations; and

Examples

Boat race, open water swimming race, water sports competition or exhibition, filming or promotional event, school kayak excursion.

- (b) does not include—
 - (i) a pyrotechnic display or show on State waters; or
 - (ii) groups of people cruising together in vessels on State waters in an informal manner;

duty holder means an employer or self-employed person (within the meaning of the

Occupational Health and Safety Act 2004
but does not include—

- (a) an employee (within the meaning of that Act) of a duty holder who manages a boating activity event; or
- (b) a volunteer (within the meaning of that Act).

Note

This section applies irrespective of whether a duty holder who manages the boating activity event has applied for or obtained an exemption or the establishment of an exclusion zone under Part 5.3.”.

3. Clause 10, lines 23 to 31 and page 8, lines 1 to 12, omit all words and expressions on these lines and insert—
 - ‘(3) For section 29(2) of the Principal Act **substitute**—
 - “(2) Without limiting subsection (1), a person contravenes that subsection if the person fails to do any of the following—
 - (a) ensure, so far as is reasonably practicable, that a pilot provided by the person to an owner of a vessel is not impaired by fatigue, alcohol or other drug;
 - (b) ensure, so far as is reasonably practicable, that a pilot provided by the person to an owner of a vessel to carry out an activity mentioned in paragraph (a) or (b) of the definition of *marine safety work*—
 - (i) is medically fit and able to carry out the activity for which the pilot has been provided; and
 - (ii) is qualified and competent to carry out the activity for which the pilot has been provided;
 - (c) provide, so far as is reasonably practicable, such information, instruction, training or supervision to a pilot provided by the person to an owner of a vessel as is necessary to enable the pilot to safely carry out an activity mentioned in paragraph (a) or (b) of the definition of *marine safety work*.”.
4. Clause 23, lines 13 to 16, omit all words and expressions on these lines and insert—
 - ‘(1) For section 248(2)(c) of the Principal Act **substitute**—
 - “(c) a master of a vessel that is less than 35 metres long.”.
5. Clause 53, line 3, omit “1 March” and insert “30 June”.

Mr DONNELLAN (Minister for Ports) (14:05) — I move:

That the amendments be agreed to.

I thank the Legislative Council for supporting these amendments. I also thank the shadow minister for ports and freight for his help in those endeavours. The Council has amended the legislation to make it clearer that the safety duty for boating activity event managers only applies to employers or self-employed persons, not individual employees or volunteers.

They also amended the safety duty for pilotage providers to provide examples in the bill that better reflect the sources of safety risk that pilotage service providers are expected to manage — in other words, provide greater clarity on what pilotage service providers are responsible for. They also clarify the circumstances where the master of a vessel is not required by law to use the services of a pilot.

Mr HODGETT (Croydon) (14:06) — I rise to make a brief contribution on the amendments to the Ports and Marine Legislation Amendment Bill 2017. I will state at the outset that the coalition are not opposing these amendments.

The main part of these amendments — there are a couple of areas — we want to deal with is the management of events and the reduction of risks on state waterways. You may recall the minister, quite rightly in his second-reading speech, talking about the bill addressing gaps in safety duties and safety requirements that have been identified as a consequence of incidents on state waters in recent years.

The minister gave an example of the Anaconda ocean paddling event held in 2011 involving some 600 participants. The event proceeded despite the prevailing weather conditions not being suitable to support the conduct of such an event, and as a result many participants found themselves in difficulty. The minister pointed out that at the time more than 100 rescues were necessary, and if it were not for the actions undertaken by the providers of the marine search and rescue service, many lives could have been lost. It is my understanding in relation to this Anaconda event that the organisers had actually packed up and gone — the event was over — and it was left to local surf rescue and other voluntary rescue groups to act, therefore putting the responsibility back on them and back on Victorian taxpayers.

Organisers do have a duty of care, and the bill attempted to address this when it first came through this house. As I said, we noted that in the case of the

Anaconda ocean paddling event the costs were imposed on volunteers who provided marine search-and-rescue services and taxpayers who funded the services provided by the water police.

When governments introduce bills it is a responsibility of any government to inform the community of the changes or engage with stakeholders. We did raise this at the time. We raised concerns to make sure that there was adequate consultation with stakeholders. What happened of course is the bill did pass this house, word did get out and, as does happen from time to time with bills in this place, when they pass one house certainly the word spreads amongst the industry. That got the alarm bells ringing amongst some of these event organisers, who then approached both the government and us to seek clarification around this bill.

The government quite rightly then paused the bill and went away and undertook that consultation — that engagement with the stakeholders. Certainly the ones that I dealt with — we have had a number of conversations with the minister's office — are now satisfied with the amendments and how they clarify exactly the duty of care and who is responsible. Therefore volunteers of many of these clubs and organisations — for example, yacht clubs that run events — will not be held responsible for that.

Now, after many months, we have the bill returning. I am thankful, Minister, for your office. I have had a couple of briefings during that period, which were very helpful for us in going back and engaging with stakeholders to help clarify and provide them with updated information. That has resulted in government amendments to their own bill. They have now obviously passed the Legislative Council and come back here.

The coalition believes these amendments are sensible. They give clarity, and they remove the questions and confusion that stakeholders had around the duty of care owed by them or the organisation running the event. As a result the coalition will not be opposing these amendments and in effect are supporting them and the bill.

Motion agreed to.

JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 1, lines 4 to 7 and page 2, lines 1 and 2, omit all words and expressions on these lines and insert—
 - “(a) to amend the **Surveillance Devices Act 1999**—
 - (i) to facilitate the use of body-worn cameras and tablet computers by police, ambulance officers and prescribed persons to record certain private conversations in the course of their duties without a warrant under that Act; and
 - (ii) to extend restrictions on the use, communication and publication of information obtained through the use of surveillance devices to body-worn cameras and tablet computers by police, ambulance officers and prescribed persons; and”.
2. Clause 3, after line 5 insert—
 - “**ambulance officer** means an operational staff member within the meaning of the **Ambulance Services Act 1986**”.
3. Clause 3, line 6, omit “**body-worn**” and insert “**body-worn**”.
4. Clause 4, line 21, after “police officer” insert “or an ambulance officer”.
5. Clause 4, page 4, line 6, after “police officer,” insert “an ambulance officer,”.
6. Clause 5, line 19, after “police officer” insert “or an ambulance officer”.
7. Clause 5, page 5, line 4, after “police officer,” insert “an ambulance officer,”.
8. Clause 6, line 15, after “police officer” insert “or an ambulance officer”.
9. Clause 7, lines 24 to 34 and page 6, lines 1 to 22, omit all words and expressions on these lines and insert—
 - “(1) After section 30F(1) of the **Surveillance Devices Act 1999** insert—
 - “(1A) Without limiting subsection (1), local protected information obtained from the use of a body-worn camera or a tablet computer by a police officer or an ambulance officer acting in the course of the officer's duty may be used, communicated or published for—

(a) the education and training of police officers or ambulance officers, as the case requires; or

(b) any prescribed purpose.

(1B) Without limiting subsection (1), local protected information obtained from the use of a body-worn camera or a tablet computer by a prescribed person, or a person belonging to a prescribed class of persons, acting in the course of the person's duties in the prescribed circumstances may be used, communicated or published for—

(a) the education and training of prescribed persons or persons belonging to the same class of prescribed persons; or

(b) any prescribed purpose.”.

10. Clause 7, page 6, line 31, after “police officer” insert “or an ambulance officer”.
11. Clause 7, page 6, lines 32 to 34, omit “to record a private conversation or a private activity”.
12. Clause 7, page 7, lines 7 to 8, omit “to record a private conversation or a private activity”.
13. Long title, after “police” insert “, ambulance officers”.

Mr PAKULA (Attorney-General) (14:11) — I move:

That the amendments be agreed to.

In so doing I should indicate that in regards to the Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017, following some amendments that had been moved by the opposition, the government moved house amendments to confer the protections and responsibilities created by the bill on operational ambulance officers as well as police officers. The bill was originally limited to providing the relevant protections and obligations for the use of body-worn cameras to police officers, but it is the case that ambulance officers are currently using body-worn cameras as part of a trial, so it is appropriate that they also be covered by the bill.

There has also been some clarification to clause 7 of the bill by way of house amendment, which makes it clear that information obtained by police officers, ambulance officers or prescribed persons in the course of their duties can be used to support prosecutions as evidence in internal disciplinary proceedings and for training purposes. Those amendments were developed following a query from the Scrutiny of Acts and Regulations Committee. They are not major amendments, but they do ultimately improve the operation of the bill and I commend them to the house.

Mr PESUTTO (Hawthorn) (14:12) — This is a backflip the coalition does welcome. We do not always welcome backflips from this government, but this is one which we are pleased the government has accepted. It is a shame that they did not accept the amendments at the time they were moved.

We did have far more extensive amendments which would have extended the benefits of this legislation to other first responders who also face very dangerous predicaments when they are protecting the community. We feel that they could have been included, but we are not going to oppose an amendment which gives us some of what we were seeking when the alternative clearly on the numbers would be nothing of what we were seeking. So we are quite happy to see these, but we hope the government will continue to review the need to extend this legislation to other first responders who are excluded from this regime because we think that there is compelling force in the extension of the legislation to those first responders. But having said that, we will not oppose these amendments and commend them to the house.

Motion agreed to.

RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 1, line 7, after “Act” insert “and to encourage investment and employment in Victoria”.
2. Clause 5, page 3, line 5, after “development” insert “in Victoria”.
3. Clause 8, line 27, omit “electricity.” and insert “electricity; and”.
4. Clause 8, after line 27 insert—

“(c) investment and employment in Victoria in relation to renewable electricity generation.”.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) (14:13) — I move:

That the amendments be agreed to.

The Legislative Council has agreed to amend three clauses in the Renewable Energy (Jobs and Investment) Bill 2017. I thank the members of the other place for their support of this bill, which will drive investment in our state, create jobs in regional Victoria and of course

ensure that we have an affordable, reliable and clean energy future.

The amendments to clauses 1 and 5 clarify the purpose and object of the bill respectively to highlight the government's support for jobs and investment in Victoria.

The amendments to clause 8 add a reporting obligation to the minister on investment and employment in Victoria in relation to renewable electricity generation.

I commend the bill to the house.

Mr CLARK (Box Hill) (14:15) — The opposition opposes these amendments. Simply putting words into a bill saying that the bill is about encouraging investment and employment does not make it so. Indeed, as we made very clear during debate in this house and in the other place, this bill is about a regime that threatens to do exactly the opposite. By the ill-considered, ill-structured and rushed manner in which the current government has embarked on its energy policy, instead of encouraging investment and employment it is risking going on a path to discourage investment and employment in Victoria.

As the opposition has highlighted time and time again, businesses around the state are reeling from massively increased energy prices, both in gas and in electricity. They are facing manifold increases in their bills and are now struggling to keep their doors open and struggling to keep people in jobs, let alone to find any capacity to engage in additional investment. The reckless and ill-considered policies of the government threaten to put Victoria on a similar path to South Australia where their government's ill-judged policies have caused blackouts as well as widespread power shortages and brownouts. If the government's approach in Victoria continues to be as ill-considered as it has been, we are going to face similar problems on top of the problems that businesses are already facing, and that will just compound the discouragement of investment and of employment in the state.

Unfortunately this amendment smacks of a George Orwell novel, *1984*, or similar —

Mr Pearson interjected.

Mr CLARK — I can see it resonates with the member for Essendon: the use of Newspeak, of which members opposite have become masters, tearing up one set of slogans and trotting out another set of slogans whenever they want a change in direction. This instance of Newspeak — talking about the bill being a bill to

encourage investment and employment when it will do exactly the opposite — is yet another example.

The government should be getting behind the sensible coalition policies, such as backing a uniform national policy on renewables and lifting the moratorium on onshore gas exploration. Instead the government has got its head in the sand over these issues and done enormous damage to confidence and investment and to businesses' willingness to create jobs around the state. Simply putting a form of words into this bill, such as in the amendments before us that were made by the government in the Legislative Council, is not going to change a scrap.

We believe it would be far more honest not to make these false, and indeed misleading and deceptive, assertions in this place in a bill that is a serious threat to jobs and investment. We therefore believe these amendments are nothing more than subterfuge and should not be included in the bill.

Motion agreed to.

GAMBLING REGULATION AMENDMENT (GAMING MACHINE ARRANGEMENTS) BILL 2017

Second reading

Debate resumed from 20 September; motion of Ms KAIROUZ (Minister for Consumer Affairs, Gaming and Liquor Regulation).

Mr McCURDY (Ovens Valley) (14:20) — I rise to make a contribution on the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017, and from the outset may I say that we will not be opposing this legislation. The main purpose of this bill is to secure the poker machine entitlement arrangements for hotels and clubs well in advance of the current arrangements that expire in 2022.

Within the bill there are many provisions. Some of them include introducing a scheme for those who choose to surrender an entitlement. There will be changes to the 50-50 ratio of clubs and hotels as to who can hold those gaming entitlements, changes to taxation brackets, the introduction of another new tax, and a variation of charges. When a venue transfers entitlements it will cover the two times 10-year period for future gaming arrangements that will obviously begin mid-2022, and increase the total number of machines an operator can own. There will be changes to withdrawals at venues and to paying winnings by cheque and certainly support around harm

minimisation. Also in my contribution I will discuss the changes to the instalments and the arrangements for hotels and clubs under the new provisions.

The current gaming arrangements are due to expire in 2022 and for this reason it is important to try and bed down the future arrangements well in advance so that businesses in our communities can be well positioned to make the necessary payments and instalments and changes to ensure that their businesses are not affected moving forward. Many of the 500-odd venues that are in this space are interested to deal with the detail now, well in advance of the expiry date, so that they can manage their business models. Most are aware that there are fundamental differences between clubs and pubs. There are different tax rates, and there are different benefits to the community, although all who hold gaming machine licences contribute back to the community in various ways.

Previous gaming entitlements were an absolute dog's breakfast, and I think everybody could see that was a disaster that happened years ago in the auction system. I do not think anyone will deny that. It was certainly a shambles, and it cost some clubs dearly. They paid very high prices for entitlements, causing them financial grief. Certainly some of the RSLs within our community are within that group. Thankfully the government has seen the error of its ways and has not gone down this path again. There are still some concerns about the legislation, but on the whole it is a far better package than was presented by Labor at the beginning of this licence period and at the beginning of this process.

The coalition has had input into the payment and instalment process, which the government listened to. It supported various positions, including the splitting of the deposit over two years, as opposed to a one-off deposit. Hotels will pay a 10 per cent deposit split over two years, 2018 and 2019, both in February, whereas clubs will pay a 5 per cent deposit, split into 2.5 per cent per year over the same years. But most importantly, regarding venues that are suffering hardship, the minister's office has agreed to support venues that are still paying instalments through the hardship provisions. They will have the deposit split over 2018 and 2020, so there will be a gap year in there. This is a fair compromise for the venues that are experiencing financial challenges.

For those who do not understand: in terms of the hardship payments, some venues are still paying their instalments now for the licence fees. Most were due to finish last year. Some, during hardship, have gotten an extension of time to make those payments, which is

certainly the way to go to support our clubs and hotels in this area. Those that have got an extension are still paying now, so when they need to stump up for a deposit next February, they will still be paying instalments for the current entitlements. For those who in 2019 are still paying instalments from this time, that will be pushed back to 2020. This is only for those who are still paying according to that hardship provision.

We have maintained throughout the process that hotels, clubs and RSLs play an important role in our entertainment industry. They are certainly part of the fabric that makes up our communities. For example, RSLs assist our veterans — those who have served in all conflicts — throughout Victoria, and it is important that those that have got gaming machine entitlements are not financially encumbered by this new legislation. In this period of change if we lose an RSL due to an unacceptable gaming machine arrangement, then we have done our communities a major disservice. We would not just be losing a venue that provides a pot and a parma for a community; RSLs are extremely important in that they provide assistance to our veterans.

For example, in some rural areas of Victoria if we lose an RSL in a region, there may not be veteran support for another 200 kilometres or more. So it is vital that the RSLs remain viable and functional and are not severely hamstrung financially by these changes. Many of the negotiations that have transpired have been with this in mind.

We certainly also need to protect our clubs, given the significant contributions that they make to our communities via the community benefit contribution. Most go above and beyond any statutory obligations and contribute much more to our communities, so again we need to ensure that our clubs remain financially viable throughout this process. Hotels are also extremely supportive businesses in our communities and are not immune to difficult cash-flow experiences themselves. That is why the coalition wants to see that every hotel, every RSL and every club that enters into a new arrangement from 2022 onwards will not be financially drained to the point of collapse.

As I said earlier, the legislation allows for a 10-year licence period, times two, and at that point — at the start of 2022 — those who have gaming licences can choose to opt out, or they can choose to opt out at the end of 10 years, so there is some flexibility there. They are not signing up for a 20-year licence period because 20 years is a long way into the future when we see what trends and changes are happening in the gambling space.

The gaming industry is a responsibility that we take very seriously on this side. We need to ensure that profits are not placed in front of harm minimisation. We have seen some blowouts from the government. We want to make sure that this is not an opportunity to gouge gamblers. We are very keen to ensure that harm minimisation remains the highest priority in this sector. Having said that, there is a new tax bracket in the legislation for venue operators to adhere to. This will not adversely affect players, but again it puts more pressure on the venues to pay a greater level of tax to the Treasurer. That is an area we have to keep our eye on because these are small businesses in our community, and nobody wants to see them fail because of an onerous taxation regime. I think we are up to 12 new taxes by the government now from where we were. We were told there were not going to be any, but there is another tax bracket. I will go through that in a moment.

Other changes to the legislation include changing the withdrawal limit at venues, which still needs to be done person-to-person rather than at an ATM. The withdrawal limit will be up to \$500 over a 24-hour period. Currently \$200 can be accessed, but you can go back as many times as you choose over the course of the day and get another \$200. This is different: there will be a \$500 maximum. I think that is probably a more practical outcome. It is a higher amount, I grant it, but in terms of a 24-hour period it is the maximum one can withdraw.

Other changes will affect the paying of winnings via cheque. This is just a sign of the times as the cost of living goes up and everything goes up. The change will be that instead of cheques being paid for jackpots over and above \$1000, they will now be paid for winnings of \$2000 and above. As per the current arrangements, those cheques will not be able to be cashed on-site. That is a minor change but certainly a significant one.

Venue maximums of 105 machines will remain in place, and that is for good reason. I strongly support this section of the bill and can see the logic behind that. Also the number of entitlements allowed to be owned by an operator will increase from 420 machines to 840. That is not at the one venue, obviously, but that owned by an operator. That throws in a bit more flexibility for the total amount of gaming machines. I will cover a bit more of that in a moment. We live in an era where some clubs are seeking to remove themselves from the revenue of pokies and other clubs are looking to increase their overall ownership, so this is further flexibility, increasing from 420 to 840 the number of entitlements that can be owned by an operator.

At the moment there is much discussion in the media about AFL clubs' reliance on gaming machines and potentially moving away from this revenue. If this happens, we need to ensure that other clubs are in a position to take on these machines. This increase from 420 to 840 should be of benefit to clubs who want to take on more machines in the event that some of the AFL clubs start lowering their exposure to gaming machines.

One area that is of concern to those I spoke with throughout the state — I have met many at different clubs and hotels — is the change to the 50-50 ratio that currently exists for the distribution of gaming entitlements between clubs and hotels. I understand why it exists. It was a sensible start to proceedings, and I would like to see the 50-50 ratio remain. However, I understand some of the issues that are around at the moment. If clubs are not using those entitlements — there is a maximum of about 30 000 machines, including those at Crown in Victoria — and if there are others who want to take them up in the hotel sector, I see no reason why that should not happen, as long as it does not come at the expense of the club sector. I have got nothing against hotels. Do not get me wrong, I would just prefer to see that balance remain as close as possible to 50-50 rather than all of a sudden it being 55-45, 60-40 and, before we know it, there is a transition. I know the minister has to make some rulings here, but let me just explain the concerns about what happens once an entitlement moves from a club to a hotel. I see very little chance of the entitlement ever coming back to the clubs, and that is the concern.

Particularly in the growth areas of metro Melbourne and in the growing regional cities there are new developments, and they are worthy of clubs or RSLs emerging in line with population growth, but they may not be in a position to purchase entitlements back from the hotel sector. Again, while there are spare club entitlements out there, I understand that they should be able to be used in the hotel sector, but there needs to be really careful monitoring of how many machines transition, because we cannot see what is going to happen in four, five or 10 years down the track. If in that time there is a major swing — I am not suggesting there will be — from clubs to pubs, I think there will be a concern about community benefits. We know the benefits to community that clubs provide, but, as I said, in these growth areas we do not know where clubs or RSLs will spring up throughout Victoria.

The other more significant area of concern about this 50-50 ratio is that in many cases local government intervenes when an RSL or a club is trying to increase their entitlements from, say, 40 to 45 or from 50 to 60. They are usually minor increases; they are not

wholesale changes as such. My concern is that local government or even VCAT can hold up these applications for extra gaming entitlements for years. The time frame is only six months, so if there are unused entitlements for a club sitting there — let us say there are 10 or 50 of them, or whatever that number might be — after six months the minister can decide that those are to be transferred to the hotel sector. It would be a shame if at the same time a club in the suburbs or a club in regional Victoria wanted to increase their number of machines by three, four or a dozen but could not because of the process they needed to go through and by the time they actually got that red tape sorted the entitlement had already been moved to the hotel sector, so it is really important that we keep a close eye on that as we move forward. I will certainly be watching that with interest to see how it unfolds and will not be afraid to call out the government or whoever if this transition is far greater than what the expectation is. From my reading of the bill and from my discussions with people, this component of the legislation covers relatively minor changes, not wholesale changes, which could mean that before we know it over a period of time we will have 30 per cent of entitlements to machines in the hands of clubs and 70 per cent in the hands of hotels. It is just about trying to get that balance right, and I think we need to keep an eye on that.

I want to talk about the changes that we have secured regarding the instalment process and the licence fees. They cover three main areas, and I will address them separately. The first is the instalment period. The previous entitlements were paid off over a 10-year period, or those who have paid them off did so over a 10-year period. As I mentioned earlier, some have used the hardship clause and are still paying that off over another couple of years. If a hotel or club was experiencing difficulties, there was this hardship exemption that allowed for an extension of time. With this in mind, there are still venues paying off their instalments today, as I mentioned, and that is certainly an area we need to be mindful of as we start the new instalment process. That is why the 10 years was adequate, and we pushed to try and get a 10-year instalment period for the next round in 2020–22 and beyond. The government wanted to reduce this to five years, as is my understanding, including hardship payments on top of that. Again, in supporting the clubs, I am very pleased to see that this has been extended to a seven-year payment instalment plan with a two-year hardship provision for clubs. That is a maximum of nine years, which I think is a fair compromise.

For hotels there is a five-year payment plan with a two-year hardship clause, with a total of seven years if

the hotels or those venues require it. Again, I see this as a compromise that many of the hotels and clubs that I have spoken to find palatable. Although many would have preferred 10 years, I do not blame them for that. You get used to what you have always had, and many would prefer to stay with that 10 years, but I think nine and seven years is a fair compromise in the end. Some still argue that the gaming machine entitlements are not the cash cow that they once were, and the government needs to be very careful of how hard they push the industry so that venues do not fall into fiscal decay. I certainly agree with that. If venues become cash-strapped due to government taxes and charges, there may be the temptation to take shortcuts that could impact harm minimisation strategies, and nobody wants to see that. It is with a steady hand that we should make sure that these changes to instalments — and I know we are talking 2020–22 and beyond — do not see anybody going to the wall because of them.

The second area I want to discuss is the interest rate payable over the instalment period. During the current licensing agreement there is no interest, so of course there was an expectation that there would be no interest again over whatever the next period was going to be. As I said, for clubs that is seven years and for hotels five. There was talk about a commercial interest rate, and that was flagged and was a great concern to me. If we went to a commercial interest rate, it would make it very difficult because of where the hotels and clubs have come from. They see this being a different picture altogether. As I say, the poker machines and the gaming entitlements are different to what they used to be, and there is certainly a lot of rigour and a lot of cost involved in making sure that you maintain everything that needs to be maintained in this sector to make sure that you are complying with everything. A commercial interest rate would have tipped a few of the clubs over, and they would have been lost to the gaming industry.

I spoke about the RSLs, for example, and the hotels and the clubs. If this tipped any of them over, that would be a great shame. They have been able to manage during the last 10 years with a bit of support from the hardship clause, so I would hate to see venues starting to tip over because of a financial impost that they cannot afford. For service providers this would be a loss, particularly for smaller clubs in regional Victoria, with which I have held extensive talks in all corners of the state to listen to their concerns and act on those concerns.

The interest rate that the government has agreed to is the 10-year government bond rate, which sits around 2.63 per cent at the moment. Again, that is a fair compromise, I think, from no interest rate — obviously where venues would like to be — to a commercial

interest rate, which was flagged at one stage. Again, I think it is a reasonable compromise at the end of the day.

The final part of the instalment process is the deposit, and I did mention a little earlier that a 10 per cent deposit for all would have been a cruel blow, particularly for the clubs that are suffering hardship and still paying instalments currently, and some will still be paying instalments in February when they have to pay the first half of their instalment of the deposit. Five per cent is a fair amount to pay for what they have to do moving forward, and now the clubs will only have to pay 2.5 per cent, and that will be a major game changer particularly for those experiencing hardship. I think that has been a major win for clubs to see that, again, those who are using this hardship clause are supported through this process. For clubs, the government has agreed to reduce the deposit to 5 per cent, split into 2.5 per cent in 2018 and 2.5 per cent in 2019, but again that second part will go to 2020 for those in hardship.

I also want to highlight that the government has mentioned that gaming machines are an important part of Victoria's entertainment industry, and certainly jobs and tourism, and that it is a legitimate recreation activity, which I support and I agree with. The coalition wants to ensure that harm minimisation remains a high priority throughout this process.

I mentioned the new tax brackets earlier. Currently for clubs the brackets are such that less than \$2666 revenue a month per machine has a zero rate because they have a community benefit statement that they have to supply, whereas for pubs the rate is 8.33 per cent. Once you go from \$2666 up to \$12 500 as a monthly return on a machine, it is up to 46.7 per cent for a club. It is similar in hotels, and there is a variance between 46 per cent and 51 per cent, and once you get over \$12 500 from a machine per month, that rate goes from 54.2 per cent in the club sector to 60.67 per cent.

Those are the current rates, and there will be another bracket installed in here, so there will be a bracket between \$2666 and up to \$6667. That is just an extra bracket. The tax rate jumps much more quickly up to 55 per cent from \$6667 rather than going up from beyond \$12 500, so that extra bracket will certainly bring in more income. Again, I do not think we want to confuse income that comes in from the gaming machines with anything to do with harm minimisation. This is about profit and loss for clubs and venues, so that tax rate affects the clubs, the RSLs and the hotels obviously more so than it does the punters and those who are using the venues.

I also understand there will be responsible service of gaming training that supports the bill and that the Victorian Responsible Gambling Foundation, of which I was a board member for some five years, is in support of this bill. That is my understanding. Amongst all of this the YourPlay precommitment scheme is still available for gamblers, so none of those harm minimisations are being reduced or watered down, which I think is fantastic.

The new tax brackets do need a mention. As I said, it does fly in the face of the commitments given by the government that there would be no new taxes. Again, it is about making sure that the venues do not struggle as they move forward because of this tax impost, and we will not know until we get into 2022 and see how things pan out in the first couple of years of those instalments.

I have consulted with many of the major stakeholders, and as I have said earlier, there is a balance in needing to have the legislation completed. They had flagged that any increases may not be sustainable for some clubs, so it was important that we got this right as we worked our way through, but we did it early to give hotels and clubs some sort of understanding, as they move forward, of what the situation will be and what the agreement will be. So I urge the government to ensure that, where clubs and hotels come under financial pressure due to these tax increases, it undertakes to work more closely with the club or hotel and not just let the club or hotel drown financially amongst the bills. As I said, we will only know that once we move into the new licence period after 2022.

There were concerns around the weighted annual revenue and how that was developed. The weighted average is 40 per cent on the most recent year, 30 per cent on the next year, and then 20 per cent and 10 per cent, so over the four years of that weighted average we came up with the annual revenue figure. Some have concerns that this formula could have been more evenly weighted for a fairer outcome, and I suppose that comes down to the personal interests of the venue as to what their revenue stream looks like. I can always understand there will be variations. People will say, 'I would rather have had a greater percentage at the front end and less at the back end', but I just wonder whether 25 per cent for each year would have been a fairer way to do it. Certainly I understand how the government has calculated that formula, but as I say, it will be interesting to see how this pans out and we will find out from some clubs who start to struggle.

The gaming machine entitlements during the auction for clubs were around about \$35 000, which is what the

average was for clubs to get a gaming entitlement during the auction. Averages tell us absolutely nothing, because I know of certainly country and regional clubs and RSLs that have paid well in excess of the mid-\$50 000s, and they have been severely under stress. The average price has come down from \$35 000 to \$27 000, and I think you will find some of those regional clubs — some of those clubs that have been struggling — will be on the lower side of \$27 000, which I hope is the case because it is important. It is one thing for the bigger clubs such as Keysborough, Epping Plaza and those ones who generate many, many millions of dollars — more so through population than gambling habits; there are just a lot of people in those regions — but another for a small RSL in a small country town like Kyabram or Bairnsdale or something like that. We just have to make sure that we have a system that fits all, that suits all, because if we tax everybody to the hilt, some of the bigger hotels and venues can support it — they do not like it, but they can support it — whereas it will hurt some of the smaller clubs unbelievably.

The average price for a hotel entitlement in the auction system turned out to be about \$40 000. Again there will be variations within the system. This time the average has gone up to around \$53 000. As I say, averages can be misleading, but approximately 66 per cent goes on in hotels and 33 per cent occurs in clubs. There appears to be larger profits in the hotel sector and that is reflected in the price that one pays for a gaming entitlement. They are the changes in the auction system through to now. With that I will conclude my remarks. I do want to thank the minister's office for the various briefings and the various clarifications on the bill over the period of the last couple of weeks. I commend the bill to the house.

Mr DIMOPOULOS (Oakleigh) (14:49) — It gives me pleasure to speak on the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017. I am also pleased that the opposition will not be opposing this bill. The bill effectively addresses disadvantage. It does this in two ways: one is by assisting club operators in a way that has not to date been done; and two, by adding to the suite of initiatives and measures we have for addressing harm minimisation and problem gambling.

I was approached by Clubs Australia, probably as other members have been over the last year or so, and I want to just give a quick snapshot of one of the clubs in my electorate. The information they gave me about a year ago was that this local club provides full-time, part-time or casual work for 29 people, with a payroll of more than \$1.1 million a year. It has more than 8700 club

members and in 2014–15 provided more than \$230 000 in donations and support to more than 15 local sporting, community and charitable groups in the area, so in my local community. The club also paid \$1.9 million in gaming taxes to the government in that period. That is just a snapshot of a club in my area. Members would know the details of clubs in their local communities.

Clubs Australia's representations to me also raised issues that I feel this bill addresses. They include, for example, longer term security, a differential rate in payments to government for clubs as opposed to hotels, and a reduction in red tape. I am pleased this bill includes many of the aspirations my local clubs came and saw me about, but the bill is about addressing disadvantage and providing more flexible and more appropriate arrangements for the current marketplace, and it does this in a number of ways.

The system is an administrative allocation process, as the shadow minister described, rather than an auction scheme, and operators will be guaranteed a minimum number of licences, equal to the number they currently hold, on a date declared by the minister. There will be a fairer outcome for smaller clubs than an auction system, and there will also be opportunity for new entrants once the existing entitlement holders get their guaranteed minimum allocation. Anything above and beyond that allocation, any additional entitlements, will be predisposed to new entrants.

The new process provides for flexible arrangements. Two or more clubs will be able to enter into a revenue-sharing arrangement, which again provides the opportunity for smaller clubs to achieve economies of scale and a more sustainable future. Club operators will be liable for smaller payments in the form of deposits and have longer payment term options than hotel operators, and I think the figures were mentioned by the previous speaker. There is longer security; we are going back to 20 years, which is more appropriate and a longer time frame for these clubs to guarantee investment and to guarantee their strategic path forward in terms of their customers, bank loans and a whole range of other things. But we are also providing flexibility within that. Clubs can opt out within the first 10 years without penalty, just by making the normal payment. The minister will have more discretion through this bill to make arrangements in relation to that and other elements in this bill.

We are introducing a progressive taxation regime for operators. I think this is extremely important. The opposition may paint it as another tax, but it is effectively part of the same aspirations we are trying to

achieve as a level playing field for clubs by providing a more progressive taxation regime.

The maximum number of machines per club operator will be increased, albeit with conditions, and this will more evenly match what the hotels currently have — for example, a single hotel operator can hold 35 per cent of all entitlements for the hotel part of the scheme. Doubling the entitlement capacity of clubs will better balance the opportunities they have. The bill establishes an independent review panel of eminent people to oversee the allocation process, which is again important. There will be better pricing for machines that will also contribute a more appropriate sum to the taxpayer.

In the time I have left I want to focus a bit more on harm minimisation initiatives. There are a couple of things to be said about that. One is that in my local community I have two local government areas, the City of Monash and the City of Glen Eira. Monash has a partial cap and that will not change under this bill, which I am pleased about, and nor will the ratio of machines to 1000 residents in the rest of my community. That will not change. The total number of machine entitlements across Victoria will not change, and this obviously excludes Crown Casino. The maximum number of machines per venue will not change — that is, 105.

There is a whole range of other harm minimisation initiatives which are really important — for example, limiting the amount of cash that can be withdrawn in a gaming venue using EFTPOS to \$500 within a 24-hour period on any one debit or credit card. This bill clarifies that EFTPOS transactions in gaming venues require a person employed or engaged by the venue operator to operate the facility, including by entering the amount of funds to be obtained. There is a lot of research which indicates that when the customer has to approach a human being, talk to a staff member, in relation to accessing funds, it is a mitigating factor for problem gambling.

This bill prohibits a gaming venue operator from cashing customers' cheques, prohibits the advertising or operation of cheque-cashing services in or around the gaming venue and it does a range of other things. For example, it raises the threshold for payment of gaming machine winnings by cheque from \$1000 to \$2000. This decreases the risk of money laundering and also prevents third parties from taking advantage of vulnerable players through cheque-cashing services.

I want to make a point about problem gambling and Labor's commitment over time. Almost all the major

harm minimisation measures that apply in the gaming sector today were imposed by Labor governments. These include the introduction of the YourPlay pre-commitment scheme, a \$5 maximum bet limit, municipal and regional caps, an announcement that all ATMs will be banned from gaming venues, the introduction of reduced gaming venue hours, the introduction of a limit on winnings to be paid by cheque, as I described, prohibition on gaming machine advertising, withdrawal limits of \$200 per transaction within the venue, the establishment of the Responsible Gambling Ministerial Advisory Council, the requirement for venue staff to undertake responsible gambling training and the reduction of maximum starting credits on gaming machines from \$9949 to \$1000.

For me, this is a very important issue. Gaming is one of those areas of policy which is a difficult and contested space for various reasons. It is a legitimate recreation activity for thousands of people that do not have a problem with it. It is also a legitimate source of government revenue, which goes into a significant number of community projects, including the Community Support Fund, which assisted a footy club in my electorate very recently through the Scammell Reserve facility upgrade, and it goes into the mental health fund. There is a legitimate need for these funds. But then we also have to absolutely put our minds to how we limit the excesses of gaming and support people with problem gaming issues. I think this bill is another step towards addressing disadvantage in that way.

Though the current entitlement term does not expire until 2022, undertaking the gaming machine allocation process earlier allows the government to introduce harm minimisation measures earlier as well, rather than waiting. This has been evidenced by a recent announcement the government has made. In a press release by the Premier and the minister earlier this year the government declared there will be no increase above the current number of gaming machines in Victoria for the next 25 years. These are really important measures.

This is a bill that does significant good in an area that is fundamentally important for public policy. I think this bill is something that clubs will appreciate and that the problem gaming sector will appreciate. We are always looking for opportunities to reform, which Labor governments always do. I commend the minister, and I commend the bill to the house.

Mr WATT (Burwood) (14:59) — I rise to speak on the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017. I have looked through quite a bit of material. I have looked through

the bill, I have looked through the second-reading speech and I have looked through the press releases the minister has put out. Quite frankly, I am a little amazed and surprised, given the fact that in 2015 the government introduced a new bill which made changes to the Victorian Responsible Gambling Foundation and which gave it powers that it otherwise would not have, that the government has not talked more about the Victorian Responsible Gambling Foundation and any advice it may have received on this bill. I would be interested to find out from those who speak after me what advice the government has received from the Victorian Responsible Gambling Foundation with regard to aspects of this bill. The reason I raise this is that subsection 6(1)(d) of the Victorian Responsible Gambling Foundation Act 2011 makes it very clear that the foundation has the following functions for the purposes of its objectives:

to provide information and advice in relation to—

- (i) issue or grant of licences, permits, approvals, authorisations, registration or allocations under gambling legislation; and
- (ii) regulation of gambling under gambling legislation.

I know that members opposite listen intently to contributions from members on this side, and that they are able to obtain advice as to what process the government went through to consult with the Victorian Responsible Gambling Foundation around some of these harm minimisation points, but more particularly around what is effectively an increase in the availability of gambling in Victoria.

I make that point based on the fact that the member for Oakleigh just said that there is not going to be an increase in the number of available gambling machines. But if we understand that there is a 50-50 split and currently there are around 700 unused club entitlements and those entitlements are then going to be made available to pubs, that is effectively an increase of 700 in the number of machines in the state. It is a little bit disingenuous of government members to turn around and say that there is no increase in machines when currently all entitlements are not being used and part of the purpose of this bill is to make those entitlements which are not currently being used available for others who would use them.

If we were to say there were 27 732 licences for machines available to Victoria, then we would probably say, using my quick maths, that there are only 27 032 machines in Victoria currently being used, because those 700 are not being used. If the member for

Oakleigh is right and there is not going to be an increase in the number of machines, then I am assuming that what he is saying is that those unallocated club entitlements will not be shifted to the pubs. But we know that is not the case because one of the purposes of the bill is to make those available. So it is very disingenuous for members opposite to try and tell us that there is not an increase in the number of licences.

I can understand why the government have introduced this system of allocating licences rather than the auction system, because we all know what happened in the previous auction system. We all know that the government received billions of dollars, about \$3 billion, less for the licences than they were valued at, so I can certainly understand why the government would not want to go back to an auction system, because of the debacle which was the previous auction system that was set up. I am firmly aware of why we have gone through this system. I do not really understand what advice the government have received from the Victorian Responsible Gambling Foundation, given the fact that the purpose of the foundation, one of the reasons the foundation exists, is to provide advice.

One of the changes that was made through the Gambling Legislation Amendment Act 2015 was to put in place an advocacy and policy advice role for the Victorian Responsible Gambling Foundation. This is a 20-year change post-2022. We are talking about a significant change. So in actual fact we are talking about something which is going to last for 25 years. I would have thought that the government — the minister and members opposite — might be able to provide the Parliament with what advice did they receive, if any. Did they consult at all with the Victorian Responsible Gambling Foundation? What effects will some of these changes have? I understand that there are some significant changes, such as doubling the entitlements that a club might be able to have from 422 to 840. That in and of itself seems like a fairly significant change. To say that it will have no effect, I would like to see what sort of evidence the government bases that on and what information it had when it made that call.

I also look at things like limiting EFTPOS cash withdrawals from gaming machine venues to \$500. I have taken out money at gaming venues but not for the purpose of gambling. That is not to say that I have never put any money into a poker machine and not to say that I have never won on a poker machine, but that is not the only reason why a person would go to a gaming venue. Most gaming venues are not just gaming venues; there are other things you can do there. I have

two gaming venues in my electorate, and they are places where I can also go to have a drink.

But to say that I can only withdraw \$200 or \$500 in a day makes me wonder: on what advice did the government make that decision and what impact do they think it is going to have? To present this to me as though it is going to make a big difference — I do not know, and I would love members of the government to provide me with that information, so that as a member of this house I can be informed as to what is actually going on here.

The government has introduced some changes, and I have looked at some of the comments that government members have made previously. The member for Oakleigh talked about an increase in taxes. He acknowledged that this measure will result in an increase in tax. It will be a progressive tax, but nonetheless it will be an increase in tax.

I think about some of the comments that government members have made in this house and some of the comments that the now Premier made prior to the election when he told every single Victorian that he would not increase taxes or introduce any new taxes. Those opposite might want to help me out, but we are talking about at least 12 new taxes or increases in taxes. Peter Mitchell asked the now Premier, the then opposition leader, on 28 November 2014, the day before the last election:

Daniel Andrews, all the polls say you will be Victoria's next Premier. If you are do you promise Victorians here tonight that you will not increase taxes or introduce any new taxes?

Obviously knowing what has happened in the last two and a half to three years you would have expected the then opposition leader, now Premier, to say, 'No, Peter, I'm going to introduce a bunch of new taxes and I'm not going to tell anybody because we don't want to frighten the horses. Good or bad, we are just going to introduce a bunch of new taxes and we will fight that out when the time comes'. That is not actually what he said. He said:

I make that promise, Peter, to every single Victorian.

I make this point because when a party goes to an election and makes a commitment, you expect the party to fulfil that commitment. You expect that if a government says, 'We're not going to introduce any more taxes', that it will not do that. You expect that if it does decide to backflip on commitments it makes prior to an election, it might actually provide some reasonable justification for that. As yet I have seen no justification for the increase in the taxes. I have seen no

justification for the increase in all of the taxes that we have seen since this government was elected.

I have not actually seen the basis upon which the government has decided to make these recommendations. I have not seen any correspondence or any information which would lead me to believe that the government has taken advice or listened to any advice that it might have received. If members of the government have that advice or have knowledge of that advice, it would be nice of them to stand up in this place to explain to us what advice they have received from the Victorian Responsible Gambling Foundation.

Mr LIM (Clarinda) (15:09) — I am very pleased to rise to speak on the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017.

Many families in my culturally diverse electorate have experience with problem gambling, and I would like to begin by commending a whole range of different agencies in my neck of the woods for doing all the good work in helping out people with gambling problems. I would like to single out the Australian Vietnamese Women's Association, which is expanding its work into the Springvale area. They have done this under their rehabilitation, health and wellbeing programs, which include their gambling counselling work. They are one of the many community groups tackling this important issue. It would be remiss of me not to mention that there are other agencies, like the Cambodian associations, which I have a long association with. They are doing the same work but in a more traditional way by handling it through the local temples. I have three Cambodian temples in my electorate that are helping in that regard, and they do so without any assistance or funding from government agencies.

It is interesting that studies about the prevalence of gambling reveal that culturally and linguistically diverse communities often participate in gambling, but generally at a lower frequency than the mainstream Australian population. I find this very contradictory in the sense that Asian communities are notorious for their gambling activities.

I recall that in my first year in this chamber I commissioned a parliamentary intern to have a look at how the opening of the casino was affecting my Asian community. All hell broke loose. I was attacked by the Premier even before I had had a media launch. In the Labor room at the time he was quite ferocious in attacking me and protecting his casino owner friends. Anyway, it would be remiss of me not to mention that it was quite frightening, coming from the Premier who at the time was considered to be Mr Can-Do. His

popularity was soaring at the time, and I was just a humble backbencher starting my career in this place. Twenty years on we have come a long, long way in fixing this problem with precautionary measures in terms of how to minimise harm and how to address the problem that the community suffers.

There is so much drama in my neck of the woods. I know of small businesses that have changed hands overnight because of gambling problems. I know of womenfolk who value gold from when they escaped — gold is their currency — and then it is forced from their hands by their menfolk to gamble. It is just so traumatic. I have seen family breakdowns and I have seen the harm that is done to families. But as I said, 20 years on we have come such a long way, and I am glad to hear that the opposition is not opposed to the bill. These problems have been particularly felt in the Asian communities of the south-east. Many families have experienced great hardship with family breakdowns and high rates of incarceration.

In August 2015 our government commenced a review of the regulatory arrangements for gaming machines to enable decisions to be made about the appropriate settings for the gaming industry after the current gaming machine entitlements expire in August 2022. The government also examined the harm minimisation measures that apply to gaming machines to ensure the measures are appropriate now and post-2022. This bill introduces a range of harm minimisation measures in relation to gaming machines and improves the operation of existing measures.

It amends the act to limit the amount of cash that can be withdrawn using EFTPOS in a gaming venue. It imposes a \$500 limit during a 24-hour period on any one debit or credit card. This is a positive step as currently there is no daily limit on the amount of cash that can be withdrawn using EFTPOS; only a \$200 per transaction limit applies. This is particularly relevant to my constituents of Clarinda in Clayton. Within the City of Monash, Clayton traditionally has the largest population of young people aged 18 to 24 years, the highest number of university students and the highest percentage of people speaking a language other than English at home.

Clayton is also a suburb which traditionally has had a very high density of poker machines per adult population — nearly twice the Victorian average. More than \$109 million was lost on poker machines alone in the City of Monash in the 2016–17 financial year; this is the fifth highest amount of loss in any Victorian council area. The council next door, the City of Greater

Dandenong, suffered a loss similar to that of Monash, which is of much concern.

Limiting access to cash is an effective measure that will reduce harm, particularly to problem gamblers in my electorate and across the state. Under this bill prohibitions on the promotion or operation of cheque-cashing services in gaming venues will also limit immediate access to cash. The bill also introduces a new offence for venue operators who knowingly allow the advertisement or operation of these services on their premises. These amendments will provide further protection for vulnerable gamblers seeking quick access to cash.

Venue operators are currently able to cash one cheque per customer up to a maximum of \$400 per day. The bill amends the act to prohibit venue operators from cashing cheques for customers, providing further protection for moderate and high-risk gamblers. The bill extends the harm-minimisation framework for gaming machines to cashless gaming systems. These systems include card and ticket-based arrangements and allow gaming machine play without inserting cash into the gaming machine. The bill amends the act to ensure that cashless gaming systems are operated in a manner that does not undermine the harm-minimisation measures that apply to access to cash and payment of winnings. The harm-minimisation measures included in this bill complement the measures already operating in Victoria and build on the great body of community work taking place in the responsible gambling space.

This bill will help to promote a more supportive environment to prevent and reduce gambling-related harm amongst our diverse community and across the state. I commend the bill to the house.

Mr HIBBINS (Pahran) (15:18) — I rise to speak on behalf of the Victorian Greens on the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017. This government had a real opportunity before the pokies licences expire in 2022 to put in place a tough regime for pokies operators that would genuinely reduce harm from these machines. These machines have been around since the 1990s and have damaged lives, have destroyed families and are draining billions of dollars from Victorians every year.

Instead the government has squibbed it. The pokies operators win from this, Crown Casino wins, problem gamblers lose and the communities lose — those communities that many regard as Labor heartland are all losing. In fact this legislation is so wide of the mark that is needed to address the harm of pokies in this state that the Greens cannot support this bill.

It is incredible in fact that this bill is even up for debate, given the extraordinary allegations that have been made against Crown Casino and the operation of their pokies. Looking at some of those allegations that have been reported, we have got allegations that engineers have been told to illegally disable buttons to encourage more bets; we have got allegations that patrons have been given plastic picks to jam buttons down for continuous spins on pokies; we have got allegations that machines have had their play history cleared to reduce mandatory payouts; and we have got allegations that some machines are apparently paying out well below the compulsory rate of 85 per cent. These are just some of the allegations that have been levelled against Crown Casino — and in fact not just against Crown Casino but against the regulator itself — and its failing to properly address these issues when they came to its attention. So it is extraordinary that we would actually be debating this bill that will set the framework for how pokies are licensed in this state for decades, when these allegations are yet to be properly investigated and the truth has not yet come out about them.

Our message to the government would be either to at least wait until these allegations against Crown Casino and the regulator have been properly investigated or to go back to the drawing board and come up with something better or negotiate with the Greens in the upper house to come up with some changes to this bill that would actually properly reduce the harm of pokies in this state.

This bill is a missed opportunity in that it maintains the existing number of pokies licences for decades. Again, there has been some confusion as to whether these unused licences — I think there might be a few hundred around — can be added to the tally. It maintains these numbers when these numbers should actually be reduced. Certainly we should be looking at reducing pokies numbers in this state by a figure of around 25 per cent.

We have got licences going from 10-year licences to potentially 20-year licences. This is when we should actually be reducing the length of those licences. Maintaining it at 10 years would be good, but I think we could go even further — down to five years — so that we could be reviewing those licences much more quickly and certainly give councils a lot more power in deciding where pokies are put in their communities. These are the communities that are assisting problem gamblers. They see the effects of problem gambling, particularly with pokies, and certainly they need to be given a very strong formal legislative role in being able to decide when and where pokies go in their communities.

We have seen the limits being placed on EFTPOS withdrawals being touted as some big, major benefit of this legislation. The reality is we got rid of ATMs from pokies venues some years ago, and I think that was something that my colleagues in the upper house were pushing for in previous terms of Parliament. We have already had this ban on cash in pokies venues, and these EFTPOS machines are now being used as a way around that. To put a \$500 cap on it still means that you have got people withdrawing hundreds of dollars of cash in pokies venues. The government's own study found that the average problem gambler averages \$318 a session while a non-problem gambler withdraws around \$66 per session, so a \$500 cap does not even touch the sides of the issue here. I think the touting of that figure as some sort of big achievement completely misses the mark of what is actually needed.

We have got this bill providing for cashless gambling, which I think is a really concerning development. With cashless gambling you can put credit onto a card or a piece of paper and put that into the machine. My real concern is that people will lose more because this will simply just churn more money back into the machines. It is being pushed by the pokies industry as a way of squeezing more money out of problem gamblers.

We have got a change to the 50-50 rule between clubs and hotels when it should be maintained. We have got an increase in the maximum number of hotel entitlements owned by one operator when this needs to be reduced. This bill certainly misses the mark in terms of what is required to effectively address pokies in this state.

There are a couple of things that we would like to keep. I thought the member for Burwood's speech was going okay until he complained about the increased taxes paid by the industry; unlike him, I think we should keep those. I think that is something we would look favourably upon, and it also does not put the poker machine entitlements up for auction.

There are, however, a whole range of policies and proposals that could be put in place to better reduce harm from pokies. We could be seeing venues closed for a number of hours a day. My understanding is that they need to be open for 20 hours a day. That could be reduced. It would give a bit of breathing space to problem gamblers.

We could be looking at making sure that all machines are low intensity. I know the Productivity Commission has done a lot of work and made recommendations around this. We could ensure that instead of high-intensity poker machines we have low-intensity ones, with maximum losses of around \$100 an hour, a

load-up limit of around \$20 by limiting the amount of money that can be loaded into a machine at any one time, and jackpots of no more than \$500. I think those are certainly some worthwhile proposals.

We could have \$1 bets, and that is something the Greens have been pushing hard. I remember we introduced legislation in the previous Parliament to set a maximum \$1 bet limit. I actually came into the public gallery for that debate. Unfortunately it was voted down by both the government and the opposition at the time. We have got people just hitting those buttons. Generally having \$1 bets is not going to affect the non-problem gambler, but it is going to address problem gambling, where you can actually reduce the maximum that can be lost over an hour from about \$840 to around the \$100 or \$120 mark. Again, from the figures I have been given, 88 per cent of recreational gamblers already spend less than \$1 per spin, so this is not going to affect the average punter but it will have a meaningful effect on reducing problem gambling.

We could certainly look at mandatory precommitment again. It is unfortunate that that never got introduced nationwide. Certainly it would be very good to have a mandatory precommitment, not this voluntary precommitment and certainly not a voluntary precommitment that, from my understanding, will be combined with a rewards card or some sort of loyalty card with venues. That is deeply, deeply concerning.

We need to put these measures in place because the people who are overwhelmingly harmed the most by pokies are disadvantaged communities. If you look at, for example, the councils in my electorate, you have got about \$28 million lost in the City of Port Phillip and \$23.5 million in the City of Stonnington — and I think they are pretty large amounts. But when you go to Dandenong, it is \$119 million; in Werribee, \$97 million; and in the City of Casey, \$124 million. It is these areas where there is disadvantage that we are getting the most harm from pokies. I do feel, even in my own community where we do have pockets of disadvantage, it is those people who are most affected by pokies.

A link has also been established between family violence and problem gambling. The Royal Commission into Family Violence found there was a clear link between problem gambling and family violence, so we would be hopeful that in addressing family violence, which I know this government and in fact all parties are committed to, we could make sure that addressing problem gambling is a part of that response. We know that relationships are being damaged and are reaching crisis point, families are

neglected, trust is lost, and there is dishonesty, concealment, conflict — all those things are contributing to family violence.

We also need to stamp out the influence of the gambling industry and their political donations. We know that Crown Casino — the gambling industry — have donated tens of thousands of dollars to the Labor and Liberal parties, and certainly we welcome the changes to political donations laws. After pressure for many years in the upper house, and even in this chamber, the government has finally come to the table on donations law reform. But do not mention the by-election.

I think also that, on top of these changes they have made to donations laws, we not only need caps on donations but restrictions on where that money comes from, such as certain industries, like the gambling industry. We need to make sure that those restrictions apply to the local government level as well.

We need restrictions on lobbying. We had the ridiculous situation where we had Stephen Conroy, the Labor Party factional powerbroker, also acting as a lobbyist for the gaming industry — completely unacceptable.

To conclude, this bill is a missed opportunity. It is so wide of the mark of what we need in this state that the Greens cannot support it. We need to have an effective pokies regime in place after the current licences expire in 2022. We certainly think that we need to get to the bottom of these allegations against Crown Casino and the regulator before the government proceeds with this bill, so the Greens will be opposing this bill.

Mr PEARSON (Essendon) (15:31) — I am delighted to make a contribution in relation to the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017.

I listened intently to the member for Prahran's contribution, and I want to make a couple of observations. The bill before the house relates to the regulation of electronic gaming machines that are leased and operated by pubs and clubs in Victoria, not the casino. That would be dealt with under either the Casino Legislation Amendment Act 2009 or the Casino Control (Amendment) Act 2005. I am not sure which, but that is the first thing I would say.

The member also talked about wanting to reduce the number of gaming machines in the community. From memory, when entitlements were first allocated in 1991 there were 30 000 entitlements allocated — 27 500 to pubs and clubs in Victoria, with a 50-50 split, and 2500

to the casino. That number broadly has stayed the same, but clearly in a proportional sense the number of electronic gaming machines per 100 000 people has dropped quite significantly, because we have had rapid population growth over the course of that time.

The member for Prahran also talked about reducing the length of time of the tenure — from 20 years to 10 years or five years. I note the member for Prahran has not worked in small business before, and I would hazard a guess that he probably has not gone to a bank and asked for a loan to run a business before. What I would say is that if you are seeking to go to the bank to ask for funding to buy a licence, then normally you are going to require well over 10 years — 10 years would be the bare minimum — in order to be able to access the capital to fund it.

If what the member for Prahran is suggesting is that we should make it only five years, then what you would find is that only the most wealthy pubs and clubs could fund such an entitlement. They would have the balance sheet, they would be able to fund it themselves, they would not have to worry about the banks and they could do it all themselves, so you would actually penalise the smaller pubs and clubs, and I do not think that is what the member for Prahran would want to see. I think the member would say that he would want to see some of the smaller pubs and clubs thrive. So if that is the case, you need a longer lead time in which to service the debt in that way.

The member for Prahran also made a contribution in relation to comparing the losses in his area to other local government areas. I have no doubt the figures the member was quoting are indeed accurate. What I would say, though, is that the reason you see these losses is that the Kirner government made it very clear that they wanted to tie entitlements to liquor licences, and liquor licences were overwhelmingly in blue-collar Labor areas as opposed to some of the leafier, greener inner eastern suburbs, which were often dry. The idea at the time was that you would want to make sure you had an appropriate regulatory regime in place and that you therefore had some visibility over who was coming into these premises, how they were conducting themselves and how they were behaving. The entitlement was tied to that regulatory regime, which I think is entirely appropriate.

I am showing my age, and the member for Prahran is younger than me. I might talk to the member for Prahran a bit about what it was like growing up in the outer eastern suburbs of Melbourne in the 1970s and 1980s. I remember the pubs out my way in that time were booze barns; they were bloodhouses. Back in the

1970s my father went for a pot at the Bayswater Hotel, where a bloke would be picked on and his sexuality questioned if he had the temerity to walk into the main bar wearing a suit. These were not particularly family-friendly environments.

What you subsequently saw by having the entitlements allocated to pubs was a massive reinvestment in those pubs at the time of the last recession. You saw those pubs and clubs start to broaden out their service offerings to families, which was a very good thing. If you go out to places like the Bayswater Hotel — I was out there a couple of weeks ago with my family — they are really good pubs. It is a great pub; it is a good environment.

Mr Hibbins interjected.

Mr PEARSON — Yes, I will take up the interjection. I took my wife and I took my children there, and I was very happy to have a nice meal with my family, with my kids. My brother-in-law and I went into the main bar and put a few bets on the races. In years gone by my mother-in-law would have gone and put 20 bucks on the pokies. She did not this time. It is a very good environment to be with your family. It was not like that in the 1970s — it was not; they were bloodhouses. So that is what you have seen occur.

The problem, I think, with the member for Prahran is that he thinks he knows best about how people should spend their money. The member for Prahran's view of the world is that he knows how people should allocate and spend their money. I take a very different view. I believe that if you go out and earn your money, you are entitled to spend it as you see fit. Clearly a percentage of the community has a problem with alcohol and a percentage of the community has a problem with gambling. That was why originally, when the bill was first crafted and devised in 1991, there was a decision to create the former Community Support Fund, which was designed to try and provide the support required to problem gamblers so that they could get the help that they need.

I think what you have seen over the course of the last 25 years is a series of regulatory changes occur. The regulatory environment that you are operating in now is nothing like the one that existed in the 1990s or the early 2000s. ATMs have been pulled out. You have got self-exclusion zones in place. Now we have got targeted education campaigns through the Victorian Responsible Gambling Foundation. These have been really important initiatives to try and basically ensure that those who have got problems with gambling get the help and support that they need. I simply do not

agree with the member for Prahran or the Greens political party that they somehow know what is best for the community — that they can somehow determine what people should spend their money on. Frankly if I go out and earn my money, I should be able to spend it as I see fit. Clearly if I have got a problem and I need help and access to assistance, then the state has a role to play, and it does so through organisations like the Victorian Responsible Gambling Foundation.

The other point I would make is that I have lost track of the number of times the member for Prahran, aided and abetted by the member for Melbourne, has come into this place and said, ‘The government should do more. The government should spend more. The government should invest more’. Those members are very good at trying to tell the executive how to spend money. They are not particularly good at identifying ways in which to raise revenue. The reality is that this is a significant industry.

Again I point to my experience. The member for Prahran probably was not around or not paying a lot of attention in those days, but back in the late 1980s and early 1990s buses would run from Melbourne to go across the border so that people could spend millions of dollars in New South Wales. That is what used to happen. So people were spending money. Let us not think that before 1991 this was some sort of wowsler paradise where people just did not spend money on gambling. They did. They would load up their dollars, get on a bus, head north of the Murray — go to Moama or some of those other border towns — and pump their money through the electronic gaming machines up in New South Wales, and the Treasurer of New South Wales was the beneficiary of that.

What we have done here is make sure that people have got the ability to spend money here. This is a significant earner for the state government of Victoria, and it has enabled us to make critical investments in health or in education that we would otherwise not have been able to make.

I know there are commentators like the member for Prahran who sit on the sideline and like to sledge the government. He particularly has a great appetite for sledging a Labor government. I would be curious to see, if he is ever here when the conservatives are in power, whether he would ever turn around and lay a glove on the Tories. I think not. He hates the Labor Party, he hates Labor governments, but you can bet when it comes down to it that if he is ever here when the Tories are back in power, he will just be rolling over and asking that they tickle his tummy. You can guarantee that will be his form.

This is a really important piece of legislation because it is about ensuring that we can get the balance right so that these industries can continue to employ and to invest in the state, we can continue to ensure that we get the revenue we require to run a strong, balanced budget and we get the support required for those who are problem gamblers in our community through organisations like the Victorian Responsible Gambling Foundation.

As I said, this is a really important piece of legislation. Again, I think the member for Prahran in his contribution identifies and highlights his ignorance on this matter. He is just clearly ill-informed and not able to make the worthy contribution that you would expect from a member of this house. On that basis, I commend the bill to the house.

Mr CRISP (Mildura) (15:41) — I rise to make a contribution on the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017. The purpose of the bill is to amend the Gambling Regulation Act 2003 to make special provision for gaming machine entitlements that take effect on or after 16 August 2022 by including a number of provisions which are really about establishing a future for those who currently hold gaming machine licences.

This is a difficult piece of legislation in some ways because it requires us to weigh up the benefits versus the harm and that is something that I think all of us will consider. In looking at the benefits versus harm, we also cannot ignore what is occurring with online gambling and the competition that online gambling is providing in the gambling space. What I am aware of is that 66 per cent of problem gamblers currently have problems in venues, but I would think that over time that is going to change rapidly as a more online and device-savvy gambler moves away from venues to using their devices. So it is an interesting environment to be operating in.

This bill is aimed at giving some surety for our poker machine operators going into the future. Our poker machine operators, which are essentially our pubs and clubs in country areas, service our communities in many ways and in doing so they need some surety. In particular this bill allows them to plan their future and to continue to provide the services that are vital to our communities in many ways. As venues they do have poker machines, but they do a number of other things in our community. These clubs and pubs in country areas are the centre or the hub of our communities and they provide support for various community and sporting organisations. In many places they provide almost the only meals that are regularly available in those

communities. This bill is about securing their future. In its provisions it builds on the current arrangements and creates a new 20-year term for poker machine entitlements which will take the shape of two 10-year entitlements. After the first 10 years venue operators will be able to surrender their entitlements if things have changed in their communities.

The bill changes the current EFTPOS arrangements from \$200 per transaction via a person-to-person transaction that can be used many times. Thus the change to a \$500 limit in 24 hours I think makes very good sense. The withdrawal still needs to be conducted person to person. There are changes around cheques or electronic funds transfer (EFT) for winnings from the current base of \$1000 to \$2000, and of course cheques continue to be prohibited from being cashed at venues.

The negotiations that have occurred have convinced the minister that there need to be more reasonable payment provisions. Clubs have different payment options from pubs, which provide a major advantage to the clubs without upsetting our hotel industry. The bill will increase the maximum number of entitlements that can be held by any operator from 420 to 840; however, the 105 entitlements per venue remain the same. The bill also removes the current entitlement ratio of 50-50 from clubs and hotels to allow unused club entitlements to be taken up by the hotel industry. There is a six-month time lag. Club machines must be offered to other club operators first and then after that the minister can approve the transfer of club entitlements to hotels. Municipal and regional caps will remain in place, and this is important.

There is also a concern that has been raised and that is the point where you may have unused entitlements technically appearing due to delays with local government or, in an extension of that, the VCAT process. It may be that a club or a pub is planning to expand and is going through difficulties in the planning process which might trigger that six-month issue. Delays in planning are not unusual, and this I would assume to be an unforeseen circumstance, should that occur.

The financial arrangements that are in place for clubs and pubs are that they will be required to pay a deposit and that deposit is due in 2018 and 2019 for both clubs and pubs. It is 2.5 per cent per year for hotels and for clubs. This is to secure their entitlements into the future. Payments are over a seven-year period for clubs and a five-year period for hotels, and there are a number of provisions around that. The interest rate is at the government bond rate for the first two years and then at a higher rate, a 2 per cent margin, for the other years. That is an improvement on the previous arrangements,

which I think does favour the industry, particularly our country pubs and clubs.

We know from the rise of online gambling that the number of dollars that come through the door of a pub or club in the country is declining, and I think it will continue to decline. I think we also need to further look at the various clubs that are in the Mildura region. Mildura has a history of clubs that goes back to a period of prohibition at the turn of the last century. Clubs were early starters in getting around that prohibition. Mildura has a good range of service clubs that have been very active. It does not have a great number of hotels as such, because of our history, but of course alcohol is available in our modern society at a wide range of venues. Clubs are an important part of Mildura's culture and have been for the better part of 100 years. That leads us to being very concerned about preserving the viability of our clubs. Clubs have also had a longstanding responsibility in our community for problem gamblers.

Mr M. O'Brien — Is the longest bar in the world still up there, Peter?

Mr CRISP — I take up the interjection to tell the member that the longest bar at the Mildura Working Man's Club was retired many years ago. However, bits of it remain in garages and sheds all around Mildura, as it was sold off for quite a lot of money per foot when it was closed. It was closed for various reasons, including the end of the 6 o'clock swill and the move of clubs into the family-type environment in serving meals and providing other areas for patrons. The longest bar in the world is now a piece of history; it has been broken up and is proudly displayed in quite a number of sheds that I know of.

That interjection also points to the long history that Mildura has had in the club scene. Clubs have served our community well, and continue to serve our community well, and they actively tackle gambling problems. To end where I began, this is a balance between benefit and harm. I believe the clubs in my region are doing the best they can when it comes to harm. I think our real challenge will be how we manage the harm that is caused now and will be caused into the future by online gambling services.

Mr HOWARD (Buninyong) (15:50) — I am pleased to add my comments to the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017, which is before the house. At the outset can I say that not surprisingly there are a number of clubs as well as hotels within Ballarat, which is in my electorate, which have electronic gaming

machines. We know those clubs have churned the money they have gained from these machines over a long period of time back into better facilities by way of their restaurants, their indoor facilities and also their outdoor sporting venues. They have also done a number of things to support other smaller sporting clubs or groups across areas of my electorate. In thinking about this I cannot help but note that Sebastopol Bowling Club is certainly a prime example of that. It has been a very successful club that has invested its own income very well, but at the same time supported many groups across the Sebastopol area with some of their plans to perhaps encourage young people into sport or a range of other terrific activities.

We know that these gaming machines have now become a part of social activities across cities such as Ballarat and of course Melbourne. The aim of this bill is to ensure that in light of the expiry of the current entitlement period in 2022 we get on well ahead of time to provide current operators of gaming machines, and indeed those who may be considering taking up an entitlement when the opportunity arises, with some certainty in terms of their ability to plan ahead.

Together with the member for Wendouree I have met with club operators in Ballarat on a couple of occasions over the last couple of years, and both of us have attended a number of the clubs in our electorates to learn more about the way their gaming machine systems operate and to see their venues in operation. The club operators' clear message to us in Ballarat has been that they want to see this government getting on to provide some certainty for them in planning beyond 2022. They want to see us address some of the issues of concern that came out of the initial allocation process eight years ago. Recently I talked to one operator who spoke on behalf of the other club operators. He said he was encouraged by the activities of our government to date in terms of the feedback we have been providing to operators and in terms of the changes we are making. The operators are certainly very encouraged and very positive about the opportunities ahead in this area.

Can I start by just clarifying that this bill focuses on the allocation of gaming machines for clubs and pubs. Crown Casino is a separate entity altogether in regard to this process and operates under a separate review and a separate allocation process. The aim of this bill, as I have indicated, is to provide some certainty that by the middle of next year the allocation process will be well underway and all pubs and clubs will have an indication of the allocation that they may receive.

The other major change is that we are not working according to an auction process in making those

allocations. We recognise that there were problems with the previous auction process where some club operators and some pub operators paid more than perhaps they should have for their entitlements and others underpaid for their entitlements. This time the government is putting in place an administrative allocation process which will set the price of each allocation based on the gaming revenue of each venue, and that will be verified by Ernst & Young to ensure transparency in the process.

There are a number of things in regard to this allocation that members have spoken about already. Instead of a 10-year allocation we are planning to make a 20-year allocation, but with an opportunity for clubs or pubs to give up part of their entitlements at the end of the 10-year process so there is sort of a review midway. We are maintaining a number of provisions that are in place with the current entitlement. We are not increasing the number of gaming machines available, for example, beyond the 27 372 machines out there. We are still allowing clubs to seek the entitlement of 50 per cent of the gaming machines available in the first case when they are making their application for entitlements. The only variation we are making to the 50-50 rule is recognising that once clubs have expressed their interest in entitlements, if they do not express an interest that takes up the full 50 per cent, there is sensibly the opportunity to allocate the remaining entitlements to hotels.

There are other changes that we are putting forward in regard to this process about the number of machines that a particular operator can take up, but we are also allowing for a larger operator to take up an entitlement that they can then transfer onto smaller operators so that the smaller operators can benefit from a larger scale operator assisting them with the process of getting their entitlement and financing it. We also make no apology for being particularly supportive of clubs in this process by way of providing them with some advantageous taxation arrangements that will recognise the challenges that some clubs have in terms of making payments and so on. We want to be supportive of clubs and recognise the ability of clubs to give back to their communities and their importance as sporting clubs within our communities. I do also of course want to recognise that within the legislation we continue to recognise that gaming machines do cause harm for some problem gamblers.

We are taking further action to address issues associated with problem gambling. Most particularly in that area, we for the first time, as a mainland state, are proposing a \$500-a-day limit on withdrawing money via EFTPOS with credit cards or debit cards. The bill

also proposes that there can be a maximum withdrawal of \$200 per transaction. We are doing a number of other things, for example, allowing gaming operators to provide larger cheques of up to \$2000 as winning cheques rather than just the \$1000 limit so that people do not get so much cash in their hands when they have a larger win. We are also, again, enforcing the issue that operators should not cash cheques to people on-site. So we are doing a range of things to try and ensure that people who might be problem gamblers cannot get their hands on more cash than is sensible at a particular time.

The other issue is that we are continuing to work with venues to ensure that staff are appropriately trained, and that they continue to develop sound codes of conduct and self-exclusion policies. The other issue we are following up on is that the minister will be in a position to set standards of codes of conduct that venue operators will need to take up. While we will still have the commission in place to oversee that, the commission will not have to oversee each particular code of conduct for a venue on an annual basis. Instead the requirements set by the minister will need to be taken up and, at various times over a five-year period, the commission will be able to check that the operators are operating according to sound codes of conduct. That will see those venue operators having better-trained staff picking up on clients who are potential problem gamblers so that they can support them with self-exclusion plans or other plans that back up the YourPlay system that this government has already put in place, which was a pre-election commitment. I certainly commend this sound bill to the house.

Mr M. O'BRIEN (Malvern) (16:00) — I am pleased to rise to speak on the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017. This brings back some memories because my very first shadow portfolio in this place nearly 11 years ago was the gaming portfolio, and my first opposite number was the now Premier, then Minister for Gaming, the member for Mulgrave. So it is an issue that I do have some history with. Of course back in those days we had a number of issues around gaming, and as shadow minister you get the opportunity to speak with the various stakeholder groups and interest groups both on the industry side and also on the problem gambling side.

I was somebody who, in coming into this Parliament, was probably fortunate that I had not really had a lot of personal experience with problem gambling. It is quite an eye-opener when you get to sit down and talk one-on-one with people whose lives have been, if not ruined, then at least substantially taken off-track as a result of problem gambling. It really does bring home

to you the fact that gambling is a mild form of entertainment for the vast majority, but for some it is something which can have quite a negative impact on their lives.

As shadow minister dealing with these people and these groups I did think that the state could do better. That was partly what led to us taking to the 2010 election the policy to establish the Victorian Responsible Gambling Foundation (VRGF), something that was unashamedly modelled on VicHealth and something that sought to reach across the parliamentary aisle and have bipartisan parliamentary membership on the board, as VicHealth has successfully done over many years. It was also something that sought to take away from the minister of the day powers which could be seen to be in conflict with the government's interest in the revenue that comes from taxing the conduct of gambling in Victoria.

For example, as Minister for Gaming, prior to the changes we introduced, the minister was responsible for ultimately signing off on advertising campaigns that were run to try and tackle problem gambling. The minister would sign off on the research programs that were funded to look into the causes of problem gambling and how it could be better addressed. The minister would personally sign off on the outreach, counselling and treatment programs that were funded by the Victorian government. It did strike me, from opposition, that there was a bit of a conflict of interest there and that those matters would be better off dealt with by a body at arms-length from the minister of the day and at arms-length from the government of the day.

I am very pleased to see that the VRGF was established when I was the Minister for Gaming. I am pleased that it has been maintained by the current government. I do hope that that level of bipartisanship indicates that it will be an institution that endures, and whose mission will continue regardless of which side occupies the Treasury benches from time to time, because I do think it is one of those challenges that we face as legislators and as parliamentarians — of how to respect the rights of the majority to go about their lawful business, which includes gambling money, but also to ensure that as a Parliament we are doing what we can to help those who do have problems with gambling, because it can have very negative impacts not only on their lives but also on the lives of the people around them.

I would note that when we established the Victorian Responsible Gambling Foundation we endowed it with funding of \$150 million over four years. That represented, I think, around about a 42 per cent annual funding increase compared to what we inherited. That was an indication that we were not just changing

structures but we were also actually putting our money where our mouth was, because — let us be unashamed about it — the government does make a lot of money out of gambling. Some of that tax revenue does come from people who are problem gamblers, and I think that there is a moral responsibility on government to ensure that they do invest a significant amount of money to not only help people to not become problem gamblers in the first place but also to help those who are at moderate or severe risk of problem gambling to repair their lives and help in any way that we can.

I note that the current government has trimmed that funding a little bit down to \$148 million over four years, and I do question that. You might say that \$2 million over four years is not a lot of money, but I think the symbolism of cuts to programs for problem gamblers is not a symbolism which stands the government in good stead. I would hope that that is a matter that can be addressed in future budgets by this government and if not by this government then by the next government.

One of the major issues that I dealt with when I was the shadow Minister for Gaming between 2006 and 2010 was the decision — it started off under the Bracks government and then went on under the Brumby government — to conduct an auction for the issuing of Victoria's electronic gaming machine licences. This was seen as seeking to try to improve the financial outcome for the state. Well, what a debacle it turned out to be. For any members of Parliament or people listening at home, I would commend the Victorian Auditor-General's report of June 2011, *Allocation of Electronic Gaming Machine Entitlements*, because that showed that the Labor government of the day gave away those lucrative 10-year pokies licences at an absolute fire sale price. They only achieved \$981 million for those 10-year licences. The Auditor-General found that the midpoint valuation for those licences was \$4.1 billion. There was a massive transfer of super profits from the taxpayer and the community to the hotels and the clubs that had those pokies licences.

If you think of \$3 billion, you can imagine what that could have done in terms of building roads, building bridges or improving public transport or hospitals. We talk about hundreds of thousands and millions and billions, but really when you think about one botched process which cost \$3 billion according to the Auditor-General, you do really have to say there are people who are still in this Parliament today who have never properly apologised for their role in what was an absolute financial disaster for this state that is comparable to anything that happened under the Cain

and Kirner governments. One example of how badly run the process was is that while the auction was still underway, while bids were still being placed, the auction was brought to an end. It would be like selling your own house while people are still bidding on it and the auctioneer saying, 'No, we're going to end the auction here. We've got enough money' — absolute rank incompetence.

This leads to me to express some questions over the bill before the house, because we have to work out exactly what the government has valued this 10-year extension of gaming licences at. We know that they did not get value for money last time around. What I would hope will happen in the other place when this bill goes there — and, as I said, we will not be opposing the bill in this place — is that the government will be forthcoming with information that will better explain this to the public and members in the other place and convince them that the government has not engaged in another fire sale which will lead to the public being ripped off yet again.

I understand that the government has undertaken work with private consultancies to determine what is the appropriate value for these gaming machine licences. If that is the case, and I would expect the government to have undertaken that work, I would hope that that information can be shared with members of the other place. Given the very ordinary history of Labor governments and poker machine licences, I think the public has every right to see the information before any final decision is made by members in the other place to ensure that the value represented in this bill is a fair value.

I have got a huge amount of respect for the hotels and the clubs. They add so much to our community and I want to see them do well in a fair system. But it has to be fair to everyone, and that includes the taxpayer and the community. In seeing this bill through the Assembly, I do urge the government to be more open in sharing valuation information in the other place so that we can be assured that all Victorians are getting a fair go.

Mr McGuire (Broadmeadows) (16:10) — I want to address the issues of harm minimisation and corporate social responsibility in my contribution on this bill, and I want to call for a new proposition that we actually look at the place-based concerns about gaming. What I am seeking is that the government analyse where the money is coming from and contribute the full measure of its cut from the gambling dollar to be reinvested back into these communities, because they are the postcodes of disadvantage. We know where it

comes from. These are the communities that are hardest hit by gambling.

We have the Community Support Fund (CSF). The first call on the fund is:

programs to tackle problem gambling ... including payments of amounts into the Responsible Gambling Fund; —

yes, we support that, and then —

drug education, treatment and rehabilitation;

financial counselling and support for families in crisis;

youth programs;

sport and recreation;

arts and tourism;

... and

costs associated with administering the CSF.

There is also the:

advancement of the community as determined by the minister ...

Here is an opportunity for us to say, as a matter of equity, these are the gambling dollars that are raised out of these postcodes of disadvantage and that amount should be redistributed into those communities to build better social infrastructure and to look at how this can be harnessed and how this investment can go to the next proposition, go to the next step, to actually help deliver not just infrastructure, but also the possibility of lifelong learning, education and training for jobs and better opportunities in life, and investing in attitude and educational opportunity — the attributes that largely determine where we all end up in life.

Why would I argue this? Because this is what we did to get the first library in Broadmeadows. It was done with former Premier Steve Bracks. This was the pitch to him: poker machines do not go into the town hall in Broadmeadows. The way that it was put up, the proposition was: why do you not reinvest the money out of the Community Support Fund? That built the first Hume Global Learning Centre with the library. That then was able to attract the investment for the ideasLAB with Microsoft, Intel and Cisco forming this, second only to London, and that became the opportunity to connect the disconnected to the internet in an area where we have the lowest uptake on the internet. Then it became the proposition for the first multiversity in the area that had the lowest uptake in tertiary education.

This is how important these investments can be in communities. As a matter of equity we, as a government, should be examining this. I think this would be a further improvement on what we need to do because we know where the postcodes of disadvantage are. They have been outlined. We know where these issues go to and what needs to be done there. It needs a coordinated, whole-of-government strategy to address this because we have reached, particularly in some of these communities, a tipping point that is deindustrialisation. Therefore if you do not have a job, if you do not have the opportunities in life, you feel you are being left out, and this causes a whole range of other social problems from family violence to lack of opportunity and lack of jobs. These have major impacts that are a significant cost to the community. This is an opportunity that we should address and take care of.

One of the other points I want to raise is about corporate social responsibility, because Broadmeadows is where these two converge. Woolworths gets the highest take from gaming. Woolworths announced they were going to close the distribution centre in Broadmeadows, shedding up to 680 full-time, part-time and casual jobs, and move it to a location described as state-of-the-art in Melbourne's south-east. What happened was that the Broadmeadows workers were told that they faced redundancy via a text message. Woolworths executives flew in from Sydney. They told the state government and they told the municipal council this was going to happen.

After this occurred, I called for meetings with the Woolworths representatives and we had meetings even in this Parliament to ask, 'What are you doing on corporate responsibility? You get the biggest take from gambling so therefore you take from this community, so here is a double jeopardy proposition: the jobs are going as well, and look at the way you have actually addressed the issue of many workers from the National Union of Workers, who are some of the lowest paid workers in the community'. I asked them to address that, and I am looking forward to them coming back on this issue.

What we have also been able to do is to organise extra courses through La Trobe University to help the workers understand that they can get retraining and see what further options they have. But this comes also with the impact of the loss of 650 jobs from the closure of Ford's manufacturing plant and the flow-on effect that had with the supply chain jobs being lost. There are certain communities that have been incredibly hard hit by gambling, and we now get this juxtaposition of what is going to happen next in these communities and what their future looks like. What I am saying is that here is

an opportunity where we can address some of these critical issues. I do note that Woolworths launched its first sustainability strategy called 'Doing the Right Thing' in 2007. Since then the company has invested significant time and effort into its corporate responsibility and sustainability programs, and will continue to build on this work in the future, which is their claim from their website.

I do want to bring those two issues together and I look forward to hearing from Woolworths on what their plan is on corporate social responsibility where it is needed most, where they get a huge amount of their profit from and now, where they are moving their jobs from. I want to hear back from them on what their strategy is going to be for this particular community because we can turn this around and make it into something that is actually a template for how you address good corporate social responsibility. I am sure when they do their ads and their brand proposition about Woolworths people, they are actually talking about the people who work in their stores — the people who do the jobs and have done the hard work over a long period of time.

We know what happened. They made a bad business decision — their Masters hardware chain failed. It was a bad corporate decision; that is what happened. Here is the trickle-down impact of all of that. Having been appointed as the chair of the Broadmeadows Revitalisation Board, where we are bringing the three tiers of government, business and civil society together, I look forward to hearing from Woolworths under their new management and the changes they have had at the board level as well on specifically what their strategy will be to address and to live up to their corporate social responsibility and the strategy of doing the right thing — and, I would add, where it is needed most.

Mr NORTHE (Morwell) (16:19) — I rise this afternoon to speak on the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017. The bill does a number of important things, and I appreciate the commentary from members on both sides of the house on the issues contained in the bill. From my perspective and as a local member, I think the member for Mildura put the case quite well. This is one of those difficult situations whereby on the one hand you have people and families who are impacted by problem gambling and on the other hand you have an industry that is so critical and vital in so many elements in terms of jobs and economic contribution to communities. I pick up on a word that the member for Mildura used in his contribution: it is about trying to strike a balance between both. In many respects, the legislation before us does that.

I was interested to listen to some of the debate between the member for Essendon and the member for Prahran. I have to concur with a lot of the comments that the member for Essendon made in his contribution. Whilst I understand the nobility of the Greens and the member for Prahran in this instance, I think he would do well to talk to a number of regional clubs when we are talking about the tenure for licences of gaming machines. To propose that the tenure be reduced even further to something like five years would decimate many clubs and maybe pubs, particularly in regional Victoria.

I think the member for Prahran has to remember that in many regional communities our pubs and clubs are the hub of our communities. It is not just gambling or pokie machines that is the panacea in these venues. These venues are actually the social fabric of our communities. They are a meeting place. To lose some of those within the regional context would be absolutely devastating and, in my view, to reduce the tenure of those licences even further would be catastrophic in regional areas.

But having said that, I understand that we need to get the balance right between support for problem gambling and minimising that hurt, but at the same time making sure we have got the economic development basis right for the future to ensure that people do have employment, not forgetting that our pubs and clubs are great contributors in many cases to our communities through financial contributions, through in-kind contributions and through financial support. They play a pivotal role in many regional communities.

I note that the bill talks about some of those harm minimisation initiatives. The member for Malvern has had the privilege of being a minister in this portfolio, as I have for a short period of time, and I have also been a shadow minister in this area. When I was part of the coalition government we established the Victorian Responsible Gambling Foundation. This is something the member for Malvern is proud of, and he outlined the reasons for its establishment. The initial \$150 million that the coalition provided for the foundation over four years has been continued, despite there having been a slight reduction in financial support from the current government. It is important that the Victorian Responsible Gambling Foundation continues its work. I know it has evolved and changed over time, but I think there is bipartisan support for this important foundation and its role in tackling the harm of problem gambling.

This bill provides a number of harm minimisation measures. As other members have said, it limits the amount of cash that can be withdrawn from a gaming venue through EFTPOS to \$500 within a 24-hour

period. I think that is a good, sensible move. The limit of \$200 per transaction still applies, so that is important to note.

The raising of the threshold for payment of gaming machine winnings by cheque from \$1000 up to \$2000 is again, I think, an important initiative, and this is something that has been proposed by many pubs and clubs. Unfortunately there have been situations of money laundering and people being harassed by others, saying, 'Here, I'll cash your cheque for you'. There was a lot of unscrupulous behaviour, so hopefully this measure will alleviate that problem.

Another harm minimisation measure in the bill is that it prohibits a gaming venue operator from cashing a customer's cheque. The bill prohibits the advertising or operation of cheque-cashing services in or around a gaming venue. It also enables payment of gaming machine winnings by electronic funds transfer, but with the payment to be delayed for 24 hours if the amount of the winnings is \$2000 or more. These are some of the provisions in the bill that are sensible and practical and that hopefully will alleviate any gambling-related harm.

In the City of Latrobe, which my electorate is in, there is a cap on electronic gaming machines (EGMs). There are 522 EGMs spread across 13 pubs and clubs in my electorate. I know most of the managers of these pubs and clubs, and they are all very responsible hosts. I know they are very professional in making sure that they do their utmost to reduce the harms that come from gambling. The venues in Latrobe are the Traralgon Bowls Club, the Morwell RSL, the Italian and Australian Sporting and Social Club of Gippsland in Morwell, the Yallourn Bowling Club in Newborough, the Traralgon RSL, the Morwell Bowling Club, the Royal Exchange Hotel, the Morwell Club, the Morwell Hotel, the Grand Junction Hotel in Traralgon, the Moe Hotel, the Moe Racing Club, and the Moe RSL. As I say, all of these venues do a fantastic job — they do their best and utmost.

When I was shadow minister I asked a number of questions on notice in the Parliament around my concerns with regard to clubs and their viability. The member for Malvern spoke about the auction scheme that was conducted by the previous Labor government and how that impacted not only on revenue for the state government but also on many clubs, and again many of them are in regional Victoria. That issue was prosecuted through questions on notice in the Parliament but also in a Public Accounts and Estimates Committee hearing. From memory, somewhere in the vicinity of 37 clubs across Victoria forfeited their

entitlements at the time. That is an indication of the stress that many clubs were facing.

Some of the changes introduced by this bill are welcome, but at the same time there are concerns from a local perspective about some of the other changes. One of the major reforms of the bill is changes to the tenure of licences. There is a measure in the bill to increase the tenure from 10 to 20 years. In my conversations with many pub, club and venue operators, they have regularly mentioned perpetuity as the tenure they would prefer. Having said that, most people seem relatively okay with 20 years. As the member for Essendon pointed out in his contribution, this will hopefully provide pubs and clubs with more certainty when borrowing and reinvesting in their facilities.

The removal of the 50-50 split of entitlements between pubs and clubs is also a concern. I fear that clubs will lose out if there are excess entitlements, with most of the pubs picking them up. In capped areas there appears to be an opportunity for clubs to enter into an arrangement with clubs in another region. For example, the Italian and Australian club in Morwell, which operates in a capped area, is financially strong. If it wished to take up additional EGM entitlements, and these are excess entitlements, and place those EGMs in a non-capped area with the host club — for example, the Warrnambool Club — I understand that this is not possible. Venue operators in capped areas are very constrained in their ability to grow and expand their business even if there are excess entitlements available to them. The time lines that are proposed within the bill also raise concerns that this growth may be nigh on impossible.

While I am not necessarily critical of the formula applied around the purchase of entitlements, I am concerned about the four-year period. An example is that in Latrobe there has been a significant downturn in economic development. The figures from 2016–17 and backwards are not reflective of the current situation for many clubs in my electorate. The tough years are beginning now.

Ms EDWARDS (Bendigo West) (16:29) — It is my pleasure to make a contribution on the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017. I am conscious that many members have already gone through what this bill means in terms of the regulation around controls on gambling, particularly with poker machines. I have been a member of the Victorian Responsible Gambling Foundation for a number of years. Clearly the environment that we are operating in has changed considerably over the years.

Victoria's gambling environment is made up of a number of different elements, as we know. It is not just regulation and laws that govern gambling; it is also the businesses, as mentioned, that offer gambling, the various products they offer and how and when they offer them. Victorians who gamble regularly and those who work in the industry are primary actors in this gambling environment, and their actions keep the environment going and also have an effect on how it evolves and where it goes. The Victorian population more broadly has an impact on the gambling environment. This happens through decisions that are made as customers to gamble or not to gamble and people in their role as citizens whose views can impact quite dramatically on government policy and regulation.

This was no more evident than in my electorate in the town of Castlemaine a number of years ago when a club wanted to establish a gaming venue. The community ran a very solid and strong campaign to prevent that from happening. Enough Pokies in Castlemaine was formed and made a quite significant impact on decisions that were made by the Shire of Mount Alexander in relation to approval for that gaming business. The Castlemaine Football Netball Club was also heavily involved in a gambling awareness campaign. There are different communities that have different views on the gambling environment, and as I said their opinions and their views can make a very significant difference.

In terms of the Victorian Responsible Gambling Foundation (VRGF), I know the foundation was consulted in relation to the amendments in this bill. I want to congratulate and thank the new chair, Julie Ligeti, for her leadership and support —

Mr Noonan interjected.

Ms EDWARDS — Thank you, member for Williamstown; she is your constituent. She is doing an outstanding job as the new chair, and I want to thank her. I also want to thank the staff of the VRGF, who do an amazing job as well. They are very, very committed to ensuring that the harm from gambling is minimised.

In relation to the bill before us today, I note that the increase in gaming machine entitlement is extended from 10 to 20 years. There have been some who have been very concerned about that proposal. The payments for the entitlement term will be made across two 10-year periods, so from 2022 to 2032 et cetera. Venue operators can surrender their entitlements after the first 10-year period without incurring any penalties. There is also provision to increase the maximum number of entitlements that can be held by a club venue operator

from 420 to 840, and there are amendments that remove the 50-50 ratio for the distribution of gaming machine entitlements between hotels and clubs and insert a power to enable the ratio to be prescribed by a ministerial direction.

In relation to harm minimisation, it is a very fine balance between allowing people to have the freedom to have the choice of gambling and ensuring that people do not fall into the trap of becoming addicted to gambling. One of the things I find really interesting about this bill is that from 2022, five years from now, one of the amendments ensures that the number of gaming machines in Victoria does not increase above the current number during the next 25 years. Twenty-five years is a very long time. I know we are all very concerned about electronic gaming machines and the damage they do to people and people's lives and the impact they have on families and particularly their relationship to family violence, which has been well-documented, but also financial stress and hardship for many, many families.

One of the things that I have noticed particularly, just from having conversations with people in my electorate and also with owners of pubs and clubs and within the Victorian Responsible Gambling Foundation, is that we are at a crossroads now when it comes to gambling. It is not just pokies and electronic gaming machines that we have to be concerned about; we have to be very, very concerned about online gambling, which is taking over in record numbers. The number of people now gambling online probably far outweighs those who are addicted to playing poker machines. It is a very different area, because it is very hard to monitor who is actually gambling online and how to identify them, protect them and support them to ensure they do not become problem gamblers.

One of the statistics we know is that it is very often young men who are engaging in online gambling and betting on any range of sports that are out there and available in the online environment. It is just so hard to detect and to determine who might need support and who might not need support. So in 25 years from now, while we will still have the same number of electronic gaming machines and pokies, what we might find is that is just not the issue anymore. The issue might be how we are going to support those who are finding that they have a real gambling addiction in an environment that will probably be online gambling.

As has been mentioned before, the limit of the EFTPOS cash withdrawal to \$500 per card in 24 hours is a significant change to ensure that people are not overspending in gaming venues.

I know that some of the peak bodies argued that investment in venues and the purchase of new machines will continue to slow, as I mentioned, as 2022 gets closer, and some venue operators are already having difficulty borrowing to finance venue refurbishments or renovations. Some of my constituents have mentioned to me that they have noticed a real demographic change in the people who are playing electronic gaming machines. They are an older demographic, and they dwindling in number as time goes by. So there are a number of changes happening in relation to the poker machine and gambling environment.

This government has done a number of important things in relation to reducing the harm caused by gambling. I am really proud that our government has been able to include a number of measures over the last number of years, including the introduction of the YourPlay pre-commitment scheme, a \$5 maximum bet limit, municipal and regional caps, the announcement that all automatic teller machines will be banned from gaming venues, the introduction of reduced gaming venue hours, the introduction of a limit on winnings to be paid by cheque, a prohibition on gaming machine advertising, in-venue withdrawal limits of \$200 per transaction and, of course, the establishment of the Responsible Gambling Ministerial Advisory Council, which has been an important part of putting together this amendment bill. There is a requirement for venue staff to undertake responsible gambling training, and a reduction of maximum starting credits on gaming machines from \$9949 to \$1000.

On top of all of that, over the last little while as a government we have been able to introduce a number of funding measures to support people who have gambling problems. Just last week I was really pleased to announce in my electorate that we have funded additional financial counsellors through the financial counsellor program and additional tenancy assistance and advocacy support workers to support people who might be facing financial crisis or having difficulty with their housing arrangements.

We know that many of these people fall into those situations simply because they have a gambling problem, and this impacts dramatically on the way they can live their lives. Some people end up homeless as a consequence of their gambling, and that is why the tenancy assistance and advocacy programs, like the one we funded last week in my electorate, are so important, as indeed are the financial counsellors. I commend the bill to the house.

Ms SHEED (Shepparton) (16:39) — I rise to make a contribution on this bill and in doing so I say that I

oppose the legislation and many aspects of it. It is a detailed bill which amends the Gambling Regulation Act 2003 and other legislation. It makes a whole range of provisions in relation to gaming machine entitlements, responsible gambling, codes of conduct, self-exclusion programs, standard conditions, agreements, cashless gaming and forms of money and credit, and has references to many other things.

It is a bill that covers many issues, but the point of view that I would like to speak from is perhaps a bit more local. During the course of my short term in Parliament I have spoken with representatives of clubs in my area, and there is no doubt that the income from gaming machines is something they rely on. It is a reliance that has of course developed over time. Those clubs do provide a whole social strata in our community. They donate some of their earnings to sporting clubs and for other purposes. They employ local people. There are a whole lot of good things that can be said. But I cannot just ignore the fact that there are a whole lot of other bad things that go with it. In that regard I would like to point out that in the City of Greater Shepparton alone the maximum number of poker machines allowed is 329 across eight venues. That is nearly seven machines for every 1000 adults. From a population of nearly 64 000, more than \$31 million was lost to pokies in the last year, which is an average of more than \$85 000 every day in a small regional community.

In 2012 Greater Shepparton City Council refused an application by Peppermill Inn to house 20 gaming machines. The request would not have seen more poker machines in the region, but it was allowing them to be relocated to a new part of town. It meant an extra venue would also have poker machines. Council voted against the application on social and economic grounds, citing a report into the impacts that they had commissioned especially to look into this issue. But that was not the end of the matter, as those familiar with pubs and clubs across the state will know. The hotel's owners appealed the council's decision at VCAT, where it was overturned, so of course the poker machines went ahead. VCAT did so based on their own social and economic impact assessment, which found that the introduction of 20 poker machines at that particular venue would have no detrimental social impact on the community. Their ruling, however, included a number of points that should be of community concern — not the least of them being the expectation that spending on pokies within the municipality would increase by nearly \$320 000. That is a figure that VCAT called minor, but it is not minor. For communities on the edge of Shepparton, where those gaming machines went, nearly \$320 000 is a really significant figure.

VCAT also noted that while machines would be moved to a community on the edge of Shepparton, they were going to be located in an area of higher advantage rather than more disadvantage, but the reality is that in a community like Shepparton people travel around a small area and those poker machines are well used. It is a terrific hotel that has always been well known. It has a terrific playground; families enjoy going there. But now it is also a pokies venue.

The data says that even when local councils object to gaming applications VCAT approves about 80 per cent of them. So local communities are not being heard on these issues, and I think that is a real problem. It is local communities, and often local government, that do know best when it comes to understanding the demographics and the issues within their local communities. Research also suggests that people from Indigenous backgrounds are significantly more likely to become problem gamblers than non-Indigenous Victorians. Given that Shepparton has the largest population per capita of Indigenous people in Victoria outside of Melbourne, I see this as a problem for our community and it hits closer to home. It is vital that communities have more say on this issue and that decisions on the welfare of our families and friends are not determined by an equation looked at by a group of people in a capital city a long way from our own towns.

It is also vital that women have more of a say. The number of male to female pokies gamblers in Victoria is essentially equal, yet when it comes to the boards of companies and organisations that own or operate pokies venues there is extremely low representation of women. Can I say that I was on the board of RACV for 11 years and during that time we purchased the Torquay golf club for a major redevelopment. There were poker machines in that club and, by virtue of there being women on the board, that issue was raised and when the licences expired the board were prepared to take a decision not to renew them. RACV took a decision across the board not to have poker machines in any of its venues. I think for an organisation that says it is there for its members that that was a really outstanding decision for them to make, but it does beg the question of why so many of the boards and organisations that deal with gambling have such low representation of women on them.

I think it is fair to say that women do bring a very different perspective to these sorts of issues. I have been a member of Women on Boards for years and also a member of the Australian Institute of Company Directors. Of course there has been a big push for a long time to have more female representation on many of these boards, and I believe that in this particular case

it would absolutely bring a different perspective and a better understanding of the impacts that are being felt across our communities as a result of poker machines.

I was pleased to be on the steps of Parliament this morning when the women against pokies demonstration was being held. We heard from many women about the experiences they have had personally and the impacts that that has had on their lives over a period of time. I can say that as a family lawyer of 30 years I spent a lot of time trawling through bank statements trying to prove that someone had spent the family income on gambling. It was not hard to do because you just had to look at bank statements that showed withdrawal after withdrawal — many on the same day — day after day by people in these venues pulling out money which they could not afford and which might have been their week's wages. I have been into a local hotel in Shepparton at 10 o'clock in the morning to see four or five women of varying ages lined up at poker machines. They would be problem gamblers, being there at that time of the day.

It is just a tragedy that we are in Parliament today talking around the issues. We can talk about the taxation implications and we can talk about so many other aspects of this bill rather than face the elephant in the room. The elephant in the room is the impact that gambling is having across our communities. For every problem gambler — and they say that there are about 120 000 of them in Victoria — at least seven to 10 other people are affected by it. That translates to about one-third of the Victorian population.

I grew up in a border town in New South Wales, and in those days people would travel across the river in buses and come to all the local golf clubs and bowling clubs. It was a great source of income for New South Wales communities, and yes, the New South Wales Treasury picked up on that, but that meant that in Victoria at that time we did not have people addicted to pokies. I am very sorry to say that it is our governments that have become addicted to poker machines. It is the businesses that run these venues and the big businesses that are demanding these changes in the law — they are the ones who are addicted to poker machines.

There are many aspects of this bill that I think need to be altered. In relation to the \$500 EFTPOS limit, that could very easily be \$200 and would be a much better outcome for people. The limits on poker machine betting should be \$1, as recommended by the Productivity Commission. It is currently \$5 statewide and \$10 at Crown Casino. We could reduce operating hours so that we do not walk into a place at all hours of the day and night, including early in the morning, and find those people who we know

have to be the problem gamblers in there. There is much that could be done. We do not need to have the cashless gambling that already exists at Crown happening more broadly across the state.

These are really important issues for our community. I think it is a great pity that we are moving into a situation where we are just giving in more and more to the gambling lobby. I think we need to be seriously taking the time with this bill to look at it more closely. I hope that I see amendments in the upper house that will achieve that because I know there are those there who agree with many of the matters that I have put forward and who also oppose this legislation.

Debate adjourned on motion of Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change).

Debate adjourned until later this day.

FINES REFORM AMENDMENT BILL 2017

Second reading

Debate resumed from 20 September; motion of Mr PAKULA (Attorney-General).

Mr PESUTTO (Hawthorn) (16:50) — I am pleased this afternoon to be able to speak on the Fines Reform Amendment Bill 2017. Over recent years there has been a fairly steady move to reform fines and infringements in this state, consistent with what is happening in many jurisdictions around the country — indeed around the world — to offer some kind of reprieve for people in situations where there is some form of disadvantage or other adversity that is seen as beyond their control or reasonable ability to overcome.

A lot of work was done under the previous coalition government; I pay tribute to the member for Box Hill who, as Attorney-General, did much to move that process along, including with the Sentencing Advisory Council's 2014 report, which was the basis for a lot of fines reform that we have since had in this state. It is a process that has had largely bipartisan support, even under the previous coalition government. I think it is fair to say that the now government was reasonably supportive, certainly it did not oppose many of the changes, and I can say that in this term we have very much been supportive of most of the changes.

We have had some disagreements. We still maintain that it was not desirable to introduce the time served scheme that allows prisoners to effectively walk out of court with their fines basically abolished. Law-abiding people would feel some resentment at that because,

having done nothing wrong, they have still got to pay their fines and yet people who have served time have them effectively expunged. There are reasons that advocates argue that is desirable. That is a valid view for people to maintain, and I certainly respect differences of opinion, but I nevertheless do not think that it is a desirable form of policy. So we did have a difference of opinion over the time served component.

We have had some concerns — and they have not diminished — about the costs of the ICT process that the government and in particular the Attorney-General is managing, I am afraid to say, poorly, it seems. The costs of that ICT process are blowing out, and not only are the costs of that ICT process in respect to fines and infringements blowing out but the time lines are now blowing out as well.

Even this bill testifies to that fact: the government is proposing to move back even the default date under which this bill will commence from 31 December 2017 to 31 May 2018. That ostensibly is to accommodate works that still are required to be undertaken in relation to that ICT process. It is raising concerns in our quarters about how that process is being managed. Through the Public Accounts and Estimates Committee earlier this year we tried to ascertain certain facts around that, and nothing much was forthcoming. This bill only heightens our concerns about how well that process is being managed. For the sake of our state and those who will be affected by this scheme once it does commence — if in this term, that is, the way it is going — we do hope that the government can get its act together on that front.

As for this bill, we will not be opposing it. We understand that it arises largely out of recommendations of the Royal Commission into Family Violence. We understand and we have accepted that there are circumstances where victims of family violence find themselves in situations where they have not incurred fines which have been incurred by an abusive partner, and there are also occasions of course where somebody who is experiencing the distress, trauma and displacement of family violence acts in a manner which leads them to breach whatever rule it might be and causes them to incur an infringement in circumstances where most reasonable and fair-minded people would consider an extenuating circumstance. There would be an acceptance that fines reform could legitimately extend to those who suffer the effects of family violence, so we are not going to oppose that. I have some comments to make in relation to that in a moment.

To the extent that the changes are intended to take the weight, if I can simplify it, off our overworked courts and shift the burden of many administrative and

enforcement-related activities to the director of Fines Victoria, we do not oppose that. I have already expressed in the course of my remarks some concerns about the costs of the ICT changes that will be needed to support that process, but we certainly do not oppose it. We just have concerns about how competently it is being undertaken. So we do not oppose this bill.

In terms of the family violence changes, as I said, they arise out of recommendation 112 of the commission's report and recommendation 113, which has been dealt with significantly in the 2016 bill. But I just wanted to note a few sections of the bill and place on record some of my remarks.

It will introduce, we understand from the government's material, a standalone family violence scheme (FVS) which will support all of these changes. It will enable an applicant to apply to become a family violence scheme applicant and through that process, if they are successful, a family violence scheme eligible person in relation to a number of infringement offences. The government, I think wisely, has chosen to exclude a number of offences from that. Those exclusions are contained in the definition of an 'FVS eligible offence', which is an infringement offence defined in clause 3 of the bill. It does not include, for example, drink-driving infringements, drug-driving infringements or excessive speed. That is sensible and desirable. We do not want a scheme which in effect operates to condone or encourage indirectly dangerous conduct which, even if caused by family violence, exposes other innocent people to the risk of injury. If somebody is drink-driving, we cannot condone that if we are being reasonable about the matter, because other innocent people will be exposed. So we think the limitation of the scheme to offences that do not include that kind of serious offending is sensible and desirable.

The second thing I wanted to note relates to when an application can be made. It is one of the concerns that we have about the scheme in terms of how it operates in practice. If I can put it this way: we think that the government needs to be extremely careful to ensure that the application of the scheme is undertaken with the rigour necessary to discourage people invoking artifices to circumvent liability for infringements — in other words, to stop gaming of the system. I would hope and trust that will not happen, but it is always a risk that policymakers have to wrestle with. So I note that under proposed section 100 an application will need to be made before enforcement-related events, and I think that is appropriate.

People should not be able to wait for an infringement to mature and advance beyond the stage when it can

reasonably be contested but has now entered the realm of enforcement and then invoke these sorts of issues. There should be a reasonable expectation and obligation on applicants who wish to be considered to be eligible for this scheme to act promptly to bring the matters before the director within a reasonable period.

Proposed section 100 provides that an application must be made before any of the following occur in respect of an infringement offence:

- (a) a seven-day notice has expired;
- (b) an attachment of earnings direction or an attachment of debts direction has been made;
- (c) a land charge has been recorded;
- (d) property has been seized under a vehicle seizure and sale notice;
- (e) the infringement fine has been paid.

So there are some markers there which I think impose some reasonable obligations on applicants to act promptly in these sorts of matters, and we think that that is appropriate.

I also wanted to note that once an application is made by an applicant, the director of Fines Victoria must direct all relevant enforcement agencies to suspend any enforcement action. This will have a major impact on the scheme. We should not underestimate the significance of that impact, because it will potentially stop the enforcement of a large number of fines merely on the application being made. We do not oppose that — we are quite happy to see that go through — but I would urge the government to obviously monitor how this operates in practice. We would not want a situation where substantial amounts of fines are effectively put on hold merely on the making of an application where there is no proper basis for it or where there is the appearance that the system has been gamed. We hope and trust that will not happen, but it is a risk. The government should be conscious of that and obviously monitor it as part of its two-year review, which this bill provides for.

Obviously the main proposed section which will deal with the determination of applications is proposed section 10T. This is key to the whole scheme, and it provides that:

- (1) The Director may determine that an FVS applicant is an FVS eligible person in respect of an FVS eligible offence if the Director is satisfied that—
 - (a) the FVS applicant was served with an infringement notice in relation to the FVS eligible offence; and

- (b) the FVS applicant is a victim of family violence; and
- (c) either—
 - (i) the family violence substantially contributed to the FVS applicant being unable to control the conduct that constituted the FVS eligible offence; or
 - (ii) in the case of an FVS eligible offence that is an operator onus offence within the meaning of Part 6AA of the **Road Safety Act 1986**—
 - (A) the FVS applicant was the registered operator of the vehicle at the time of the offence but was not the driver at the time of the offence; and
 - (B) the family violence substantially contributed to the FVS applicant being unable to make a known user statement (within the meaning of Part 6AA of the **Road Safety Act 1986**) in relation to the offence.

I just thought I would dwell on this provision for a little while, because when I spoke a moment ago about the need for rigour, this is where that imperative is going to be most acutely tested. If we look at the conditions which the director must consider in determining whether to grant the application, the director has to consider whether the applicant is a victim of family violence. That is probably easier to determine in some ways, but it is readily conceivable that there are situations where it might be rather complicated to determine whether and when the family violence took place in relation to the incurring of the infringement. So that will be the first thing.

The second thing that will exercise the director's judgement is how do you determine 'substantially contributed to'? I imagine that this will over time have to be determined by the courts, as is the case in all legislation, but I can imagine that there will need to be some markers around what that term 'substantially contributed to' means. We do not want the system to be such that the public loses confidence in it because it is seen to be too easy to invoke the system. There needs to be, as I said, some genuine rigour around that, not to exclude genuine applicants — of course not — but to ensure that it cannot be gamed.

The concept of family violence is very broad, so it will involve a wide range of circumstances. It will be interesting to see how that evolves over time and as the system is used, as we hope and trust it will be, by the people who need it. We need to make sure that it is not taken advantage of for the wrong reasons.

It is also worth noting that proposed section 10T provides:

- (4) A determination by the Director under this Part in relation to a person's experience of family violence is not a matter to be taken into account for the purpose of determining the guilt or liability of a person for an offence in any proceedings.

That is worth noting, because it will not be something that an applicant in other circumstances can adduce in relation to those other matters.

As I said, we do not really oppose the scheme. We are quite happy for it to go through, and there are a range of technical amendments which make it easier when family violence victims are confronted with situations — where an abusive partner has driven the motor vehicle, for example — and some time is afforded to the applicant to notify through an effective known user statement. We think those changes are appropriate, and they are consistent with what the family violence royal commission recommendation was aiming to achieve. In relation to those technical matters, they are pretty much self-explanatory and I will not dwell on those any further.

I do want to turn briefly to the part of the bill which is effectively shifting much of the workload for the enforcement and hearing of unpaid infringements to the director of Fines Victoria. It is very important to understand that at the moment courts are feeling the heavy weight of workloads and there are growing delays in our courts. I hear concerns around many of our suburban courts, in particular the Ringwood Magistrates Court, which is facing significant delays on a range of fronts. Those delays are pushing matters out many months, and that has implications across a whole range of areas — for example, bail and return matters where people are having to wait very long periods — so whatever can be done to take the weight off our straggling courts at the moment is to be welcomed.

We would argue that the courts should not be in that predicament, but to the extent that they are we think it makes sense at the moment to do anything reasonable to relieve them of that work, and to the extent that you can have a single office which can deal with a lot of these matters, we think that is a sensible policy proposal. It is consistent with where we wanted to head when we were in government, although I was not a member of this Parliament at the time, which was to gradually shift matters across to the director of Fines Victoria. As I said earlier, we do have some concerns with the costs of the VIEW system — that is, the Victorian infringements, enforcement and warrant system — how long that is taking and how much it will cost.

Just before I conclude I do want to touch on a couple of other matters. In relation to the sheriff's officers, who do a remarkable job in very difficult circumstances, I cannot imagine many jobs as tough as having to approach people to seize their property when the last thing those debtors intend to do or want to do is release that property to you. They have a very difficult job, and they often encounter abuse and threatening behaviour, so it is very hard to recover property that is the subject of warrants and enforcement action. To the extent that this bill gives such officers greater powers, whether it is to detain or immobilise a victim or to issue effectively directions to people before a warrant is executed but after it has been issued, we think that is a sensible change. It will make their lives a lot easier and hopefully will facilitate, to the extent that it can, an improvement in the recovery of assets in the case of unpaid fines and infringements.

I also note another change which we think will be beneficial, and that is the ability for the director to rely effectively on an address which has been authorised or which is deemed to be an address effectively for service of documents when recovering infringements and fines. It is often very difficult for the sheriff's office to pursue enforcement action when people are moving around, and those of us who have done the grind of recovery work in our legal careers will recall how difficult service can be when you do not know what address a debtor or a defendant is at. When you have either an order for substituted service or a deemed address for service, that makes life a whole lot easier, so to the extent that this bill will give the director of Fines Victoria and the officers who are to serve in Fines Victoria an address they can use for recovery purposes without having to search the four corners of the earth to ascertain someone's whereabouts, that will be a desirable change.

The bill largely is technical. They are the main purposes of the bill as we see them. As I said, we do not oppose the bill. I think the key takeout for us is that in relation to the family violence changes, which are supported, the government makes sure there is no gaming of the system, as it would with any of the earlier changes that have been made, either in this term or in previous terms. In relation to those who seek a reprieve from fines, the government needs to make sure that that rigour is there, and in the case of ICT I have already mentioned in my remarks our concern about the length of time and a budget blowout on that front. On that basis, I am happy to say that we do not oppose this bill.

Ms D'AMBROSIO (Minister for Energy, Environment and Climate Change) (17:11) — I am pleased to give my support to the Fines Reform

Amendment Bill 2017. It is certainly an important piece of legislation and one that is an outcome, if you like, of the many reforms that have come out of the government's response to the Royal Commission into Family Violence. As we know, of course, the Andrews Labor government is implementing the government's responses to recommendations from that commission's report. This bill responds to recommendations 112 and 113.

Ending Family Violence: Victoria's Plan for Change details how our government will deliver the 227 recommendations that were made by that commission. Our government as a whole is delivering landmark reforms that will save the lives of women and children across Victoria. This bill continues that commitment and that very good and strong work. This balanced and empathetic approach recognises that family violence victims can sometimes be given fines for offences that they did not commit because they are too scared to nominate or reject a nomination from their abuser.

The bill really is another sad reminder that the former Minister for the Prevention of Family Violence is no longer with us. I do not want to make my comments on this bill without reflecting on Fiona Richardson, the late member for Northcote. It is reforms like these that truly ratify her legacy in Victoria.

At its core this bill revolves around the very real idea that family violence is a structural issue. It is a gendered issue. It is a family issue. It is a financial issue. It is a hidden issue. This bill recognises all of that. From the multiple accounts that we have heard from the Royal Commission into Family Violence we know that victims often share a financial relationship with their abusers. Often it is part of the economic abuse that comes out of those relationships. This piece of legislation looks into crimes pertaining to victims of family violence and provides a consistent and customised approach. Examples of this include small speeding fines where the abuser has used the victim's car. There are many accounts of this type of economic abuse occurring.

The last thing that family violence victims need is more blame in situations where matters are clearly out of their control. I am very, very proud that this government gives power back to those victim survivors and does so recognising there is a whole range of areas in a person's life where there is the continuation or the manifestation of abuse. In terms of economic stress or financial stress of abused people, this is one of those areas, and the response of course goes to that very issue.

There is also an array of administrative changes that are set within this bill. The biggest of these changes is that the new Fines Victoria family violence scheme will be overseen by trained specialist staff embedded within Fines Victoria. These staff will assist family violence victims beyond considering the application. They will speak directly to the applicants rather than just processing the paperwork. They will support the victim to complete the application to the family violence scheme. They will act as a contact point for other support providers and enforcement agencies, and they will be responsible for family violence information sharing.

We also know that family violence scheme applicants may not have been able to report family violence to the police or obtain an intervention order. This is not an atypical situation. Often a victim will reach out to address a particular issue that has arisen within their life which then shines a light on the actual cause of the problems that they are being confronted with. In essence this ensures that there is that full wraparound service available to them. Importantly, there will be no paper trail of the violence that they have experienced.

The bill ensures the scheme has flexibility regarding the documents that can prove family violence. The director of Fines Victoria will be given broad and flexible powers to ensure there is a balance between accessibility and the need to protect the integrity of the infringements system. Victim survivors will be able to provide a statutory declaration, a family violence safety notice or a family violence intervention order. If the applicant does not have a notice or order, the director can accept another type of evidence.

It is only when those who are abused are sitting down with people in this particular specialist unit within Fines Victoria that those opportunities can really unfold. The objective of course is to ensure that the structures of government do not get in the way of identifying the victims of family violence and therefore remove barriers to providing all necessary assistance that can be made available to people.

Laws are designed to keep people safe and to keep the right people accountable. If they are not doing that, then our system is not working, it is failing, and it is up to us to fix it. We know that it can be incredibly difficult for family violence victims to reveal their situation, and many may not have previously contacted support services. This is why the specialist staff at Fines Victoria will be so important to ensuring the success of this scheme.

Can I reflect on this issue and make a general observation, and that is that the Royal Commission into

Family Violence was of course a very deep one, a very broad one and a very detailed one. It allowed contributions from all parts of the community and it came up with a whole set of recommendations that this government is very thoroughly committed to seeing being implemented. But when we see bills such as this and others that have come before it and others that will no doubt come after it, it just shows you how family violence affects a person — a woman or child, predominately — in all parts of the way they live their lives. Having responses such as this come through, while it is a very discrete bill, really does show us how ingrained family violence and the effects of it can be in a whole system's approach, even in the way that government responds. The extra flexibility that we are now starting to put into our systems of operation ensures that every person who has been abused and their family have every opportunity possible not just to cope, of course, but to prosper and thrive beyond the abuse.

I would like to just say again that I am absolutely very happy to be supporting this legislation, getting on with the job after the dust has settled and after the commission has done all its work. Diligently doing the work to deliver on every single recommendation is what this government is absolutely committed to doing. I want to commend the minister responsible for this legislation for working so diligently to bring this bill forward to the Parliament and not wasting any time in doing that. With those few words, I commend the bill to the house.

Ms VICTORIA (Bayswater) (17:20) — I too rise to speak on the Fines Reform Amendment Bill 2017. This is a fairly simple bill, and I think it has actually been described by others as mechanical in its nature. That is probably a fair assessment of it. One of the major things it does is create a new body called Fines Victoria. I will go into that in more detail. It also allows authorities to adjust fines where domestic violence played a role in the offence — something that obviously the Royal Commission into Family Violence called for. Again, I will go into that in just a moment.

I believe that is reasonable enough, but I also think it opens up some more questions around the level of proof required to be provided by people seeking an adjustment to get out of their fines. In principle it is a very good idea, but I am looking for a little bit more detail, if you like. Obviously the reason we are looking for more detail and more scrutiny is that what I have found over the last three years is that the current government here in Victoria has been very soft on crime, and we are seeing that reflected in the crime rates. I will certainly discuss more what the crime rates look like in the eastern suburbs, specifically across my

electorate of Bayswater. They have been quite alarming. Certainly when I am out and about talking to folks, whether it be in the supermarket or at local sporting clubs, one thing they bring up continually with me is, 'Why is crime so high in our area?'. Although it may not be visible all the time — there has been an increase in graffiti and small crime like that — they are really worried about the stuff they see on the news as well. Of course we are hoping the crime figures do not lie. We are hoping that they are an accurate reflection of what is going on, but then we have also got to say, 'I wish it wasn't true', and 'How do we change them?'.

Anytime new legislation is proposed it is up to us to make sure that the detail is correct and to make sure that in fact this is not a system that can be abused. Creating Fines Victoria may also come with its own issues. I note that there is a new IT system that is going to be implemented for the new body. I will come back to that in a sec.

The other thing the bill provides is the sheriff and the sheriff's office with more protection in circumstances where a warrant is not being issued. That has certainly been unfortunately the circumstance for some people working within the sheriff's department. They are subject to physical and verbal abuse, and this bill will in fact give them a little bit more protection, which is incredibly important. They do a very hard job, they do a very good job, but it is a very necessary job, so anything we can do to protect those in that type of circumstance when they are simply doing their job on behalf of all Victorians and anything that is going to help them is good.

Going back to Fines Victoria, there is going to be a range of fines that will come under the umbrella of the new body Fines Victoria. This is supposed to make the fines system simpler. That is what it is supposed to do, although that almost makes me cringe because it says to me, 'Is crime so bad here in Victoria that people now need a specific body to help them manage their fines?'. Basically it will allow authorities to waive or adjust fines in circumstances where family violence has played a role in the offence which led to the fine. As I said, this is to do with the recommendations of the royal commission.

I think that is really reasonable, but I have got a couple of questions about that. I am hoping this does not occur, but will people make up or embellish stories to get out of fines? As I said, I hope that is not the case, so I am looking for some surety as to the level of proof required. This potentially ends up being an issue where you have the government of the day, as I said before, being soft on crime and being perceived as being soft

on crime, so we need to make sure that those checks and balances are in place. We have certainly seen an easing in our criminal justice system. That is obviously not just what is happening here in government but further afield as well.

The unprecedented crime waves, as I have said, in Bayswater have been quite shocking. I want to go through some of those stats. For example, you can look at our lovely area of Heathmont, where homes regularly go for well over \$1 million — you are looking at the Heathmont and Ringwood East areas, which have had an 8.5 per cent increase in crime. That seems bad enough, but in Bayswater, where I live, and also in Bayswater North, crime is up by an average 17.7 per cent, and 19.6 per cent in Kilsyth South.

I certainly do not find that acceptable, and I am sure nobody here in the Parliament does. Then if you look at Wantirna and Wantirna South, crime is up by 47 per cent and in Boronia it is up by 51.1 per cent. That is completely unacceptable. In The Basin it is up by 54.2 per cent. Again, it is about the checks and balances. Those sorts of stats are extraordinary and certainly not acceptable. That is obviously what is happening locally.

Across the state we have got crime up by 15.4 per cent under this government, but it is not the same in New South Wales, so it is not an Australia-wide epidemic. It is something peculiar to our area. It is just out of control here. So when I talk about the checks and balances, one of the things I want to make sure is that the softer sentencing that we have seen across different spheres is not going to be in place under this new fines body.

There is also the new ICT system, and this is no reflection on Civica, who have been engaged to deliver that new system. For the VIEW system — the Victorian Infringements, Enforcement and Warrants system — I have got to say, there are alarm bells ringing for me. I have been in this Parliament long enough to have seen some of the failures of ICT projects under Labor governments. I cannot forget ultranet; Myki — poor old Myki; CRIS, the client relationship information system; Link, which was the replacement for LEAP, the law enforcement assistance program; RandL, the licensing system for VicRoads; and HealthSMART. They all experienced extraordinary cost blowouts, and some of them do not even work properly to this day or have not been brought in properly.

For me one of the fundamental issues here is, how long is this project going to blow out by and by what dollar value? This is the problem when you look at something

like the Myki system. I know somebody who worked very intimately on that project who said, 'It was a great system to begin with, but the goalposts kept changing because all the complications had not been thought of when the project was commissioned, so the goalposts kept changing'. Therefore when the system was eventually released, it was a patch job on an initial idea. Thought bubbles are no good — the entire system has got to be thought out completely beforehand, otherwise we are going to end up with the messes that we have seen in Labor-led ICT projects in the past. Having said that, certainly if there is something that will make paying fines and the fines system fairer in Victoria, that has got to be a good thing.

The changes to the onus on people to pay fines is a good one. As I said, it was part of the royal commission. There were a couple of suggestions in the royal commission that said that predominantly — I will not say 'only' — women are sometimes too scared to speak out if their former domestic partner has left them in a situation where, for example, they were speeding continuously in their car, incurring traffic infringement notices or not paying tolls and that type of thing. In these circumstances there will be an opportunity to say to those people who are already going through enough in their lives, 'You now don't also have to incur that expense on top of all of that as well'. That is not a bad idea in itself, and I hope the checks and balances are in place.

As I said, the ability to have extra protections around those performing sheriff's department duties is a great thing. Anybody in that circumstance needs to have protection for the sort of work they do, which quite honestly can be really rough and harrowing.

The bill makes a number of other amendments, but these are the main ones. I am sure we will watch the creation of this new IT system with great interest in the way these proposed legislative changes are implemented. We are not opposing this bill, but I am going to watch with great interest how some of this develops in the future.

Mr CARBINES (Ivanhoe) (17:30) — I am pleased to make a contribution to the Fines Reform Amendment Bill 2017, and I would like to start by quoting from page 23 of the *Quality of Care Report: 2015* from Banyule Community Health (BCH):

A response to staff experiencing family violence

BCH recognise that as members of the wider community staff may also experience family violence. A BCH working group consulted women and other agencies to develop a policy and procedure to support staff in these situations. Executive managers and team leaders, as well as volunteer family

violence support officers, are undergoing training to ensure staff receive appropriate support from the workplace.

I remind you, Acting Speaker, that this is from 2015. It continues:

How the legal service helped Karen

In 2013, Karen met her partner, Geoff. He was extremely controlling and convinced Karen to take out a loan to buy a car which she registered in her name. Geoff was the regular driver and over time, received countless traffic fines. Because the car was in Karen's name she lost all her demerit points and her licence. Sometime later, Karen found out that there was a warrant out for her arrest for unpaid fines of up to \$20 000.

The stress had a large impact on Karen's physical and mental health and she went to the legal service to find out what she could do. Karen didn't want to nominate Geoff as the driver because she was afraid of what he might do to her if the authorities started questioning him.

The legal service helped Karen apply to have the fines revoked based on special circumstances, namely her mental illness. The loss of demerit points, however, could not be removed unless she nominated Geoff as the driver. Karen's application to the Infringements Court led to all 78 fines being revoked. Karen said the relief of not having to find the money or be arrested made a huge difference to her life and her health.

I want to commend the West Heidelberg Community Legal Service for their work in representing Karen, and of course a West Heidelberg Community Legal Service patron, its first volunteer, is a former Premier of Victoria, John Cain. I think this is a very instructive example. Going back to this incident in 2013 and the report in 2015 from Banyule Community Health, co-located in my electorate with the West Heidelberg Community Legal Service, it demonstrates the way in which community advocates, community lawyers and the legal service have been able to represent people like Karen in my community in the past. What we seek to address through the legislative changes that are outlined in this bill is to perhaps formalise some of these challenges that we have had in the past in relation to fines and see how we can make them work better to support people in our community, vulnerable people in particular.

I also want to quote from some work from someone who has done a lot of work for the community legal service in West Heidelberg, particularly around debtors and fines, and his name is Denis Nelthorpe. In particular he received the Tim McCoy Award in the past:

... Denis Nelthorpe, whose groundbreaking work has seen millions of dollars of debts against vulnerable Australians written off, has received the prestigious Tim McCoy Award for 2010.

The Tim McCoy Award recognises outstanding work in the community law or legal aid movement with a particular focus

on the promotion of human rights for socially and economically disadvantaged Victorians ...

This year's award recognises Denis's bulk debt negotiation project which has developed an innovative method of resolving debts owed by poor and disadvantaged consumers to insurance companies and major lenders.

Denis Nelthorpe was awarded the Medal of the Order of Australia in the general division for services to social justice and advocacy for consumers rights in June 2011. The medal also recognised his work towards developing national credit legislation and the provision of legal centres for disadvantaged people. That is obviously referencing some of Denis's work, and I wanted to say — certainly in relation to a lot of the work in relation to debtors and the way in which we deal with these challenges in a broader sense, not just in relation to family violence — that this is something that Denis has put a lot of work into, for which I am very thankful.

In fact in relation to those matters and some of Denis's work, on Monday, 27 April 2015, a report titled 'Domestic violence victims subjected to financial abuse' was presented by Bridget Brennan on the ABC Radio *PM* program, and in an interview with Mark Colvin, Denis Nelthorpe said, and I quote:

For many of the victims, the impact of financial abuse is that they are either forced to stay in relationships or they find it very difficult to exit relationships. Because they feel isolated and because they don't have economic independence, and their partners control their economic sort of capacity, they just don't feel they can leave the relationship.

Denis went on to say:

What industry needs to do is set up processes like the ones for financial hardship for family violence so that women can find practical short-term solutions to solve problems around access to telephones and bank accounts and so on.

This just goes on to describe, I think, the past two years, in particular the public debate and discussion and what policymakers have sought to address in relation to the financial abuse particularly of women in relationships that has caused them to get caught up in the judicial system.

Of course on 19 September of this year the Attorney-General outlined in a media release entitled 'New fines scheme to support family violence victim survivors' that:

Victim survivors of family violence will no longer be unfairly liable for fines incurred by perpetrators, under a new scheme introduced into Parliament by the Andrews ... government ...

...

Currently, in order to apply to have these fines revoked, victim survivors are required to wrongly admit to committing the offence, or to nominate the driver which can place them at risk ...

as I outlined in the earlier case study from Banyule Community Health back in 2015 in their quality of care report, referencing that 2013 incident. The Attorney-General said:

The new scheme will allow eligible applicants to have the relevant fines withdrawn without naming the perpetrator, ensuring the debts do not contribute to the cycle of violence.

As the Attorney-General said, and I quote:

Victim survivors of family violence shouldn't be responsible for fine debt that's been racked up by their perpetrator.

I think that when we are looking at the 227 recommendations of the Royal Commission into Family Violence — each and every one supported by the Andrews Labor government, each and every one being acted on and implemented at this time by the Andrews government — these particular recommendations relate to financial abuse particularly of women. It is something that we need to deal with and what this bill seeks to address.

Of course there are some offences that are excluded in the bill that will not be eligible for the family violence scheme because of the very high level of risk they pose to public safety. For example, those offences include those related to drink-driving, drug driving and speeding at 25 kilometres per hour over the limit, as well as similar offences under marine safety and transport safety legislation. That is consistent with the current exclusion offences under the existing revocation or review processes. What I would say in relation to that is, let us get the key principles and the key drivers in this bill through and we can review these other incidents and matters in the future when there is greater community confidence that we have got the parameters right in the way in which the bill is being interpreted and acted on in the community.

How we then scale it up in the future is open to community consultation, but I think we have the ground rules set well in relation to the bill as it is outlined at the moment. As the Attorney-General said in his second-reading speech:

This bill will establish a scheme to assist victim survivors of family violence who come into contact with the infringements system by providing a holistic implementation of recommendations 112 and 113 — addressing both the underlying issues identified by the royal commission as well as the specific recommendations.

The bill provides an opportunity to clarify certain matters and support operation of the new fines management model in the Fines Reform Act to deliver a modern and efficient fines system for Victoria.

Of course there does need to be a level of integrity in relation to the fines system and how it operates. I would like to acknowledge the work of the West Heidelberg Community Legal Service and the Banyule Community Health service, of which my wife is a director, I should declare. I do want to thank them for their tireless work on behalf of people who find themselves embroiled in these issues through no fault of their own but through their life and their circumstances, and who seek their support to work their way through the myriad legal and justice systems.

Through the Royal Commission into Family Violence and through the acceptance of the recommendations and now through legislation in this place that is giving added strength and weight to that, we are acknowledging, through the past practice of policy advocates who have done this work on the ground, that this is not something we are picking up from scratch. This is work that practitioners in the community like Denis Nelthorpe have been able to drive in the community. It has been acknowledged in the royal commission's recommendation, it has been acted on through legislation in this Parliament, and we should give full force to it to empower people so that they are not financially abused in their relationships. It is a form of domestic violence. It needs to be addressed and I commend the bill to the house.

Mr D. O'BRIEN (Gippsland South) (17:40) — I too am pleased to rise to speak on the Fines Reform Amendment Bill 2017. As previous speakers have outlined, it does indeed implement a very worthwhile and noble recommendation from the Royal Commission into Family Violence, recommendation 112, and there are a number of other elements of the bill.

The first one I want to touch on is that we are here establishing yet another new authority. This is the establishment of Fines Victoria, a new administrative body. I am not 100 per cent sure on the structure of this body — whether it will simply be taking a section of one department out and creating a new one — but it does concern me that consistently we are in this place establishing new agencies, new bodies. If I can be political for a moment, this is the Labor way of doing things — creating new quangos and new opportunities in the public service. But I do wonder what value all these new agencies and new authorities provide to the taxpayer.

The new model will be administered by a director under the act and Fines Victoria will become a single central and accessible point of contact for individuals with outstanding fines. In principle, yes, that should help to make things simpler for those with outstanding fines and one would hope it would also help to free up our court system from dealing with fines and trying to enforce and chase them up.

I note in the minister's second-reading speech with respect to the implementation of the VIEW system — that is, the new IT system that will be established, the Victorian infringements, enforcement and warrant system — that the government is considering reforms to Victoria's tolling infringement system. That is a little line just dropped into the second-reading speech that may well herald a significant change. I think the member for Bayswater hit the nail on the head when she talked about scepticism on this side about the government's ability to implement a new ICT system with respect to fines. But certainly, in principle, the idea behind it has merit and I hope it is not a repeat of past performances. As the member for Bayswater pointed out, a number of those have led to massive blowouts and enormous technical problems in implementation.

In implementing recommendation 112 of the family violence royal commission, the bill will make certain exemptions for family violence victims with respect to fines. The example that is given is where a family violence perpetrator may have been driving a vehicle registered in the name of a victim and the victim is able to have the fines revoked by declaring they were not driving the vehicle and that they would otherwise struggle or be reluctant to identify the person who was driving when an infringement was incurred for fear of retribution. I think we can all agree with that change being implemented in addition to recommendation 113, which has already been implemented in the Infringements Act 2006 where the experience of family violence is specifically recognised as a 'special circumstance'.

However, I share the concerns that the members for Hawthorn and Bayswater have raised about the potential for this to be abused. I hope these elements of the bill will be enough to ensure that it is not abused — that is, that for a start the most serious infringement notices for drink-driving, drug driving and excessive speed will be excluded from the scheme. Clearly there will be circumstances where perhaps a person is fleeing from a family violence situation, but this bill is recognising that that does not give anyone a free kick to speed and potentially take reckless action that may well impact on others.

The bill also notes that victim survivors must meet evidentiary requirements and establish a clear nexus between the family violence and the offending. I think that is good because I am concerned that this could be abused. I heard some scoffing before from the other side when the member for Bayswater was speaking. This is not about anyone questioning victims of family violence. This is about questioning people who will do the wrong thing and will seek any opportunity to take a loophole in the law and abuse it.

Some might think that is being unnecessarily pessimistic, but you will recall not that long ago we were here changing the law of defensive homicide because that had been amended in 2005 under the Bracks government as an attempt to assist victims of family violence, particularly those who through a set of circumstances killed the perpetrator of the family violence to give them a lesser defence rather than facing a full charge of murder. We ultimately had to withdraw that as a Parliament because it was being abused, in fact by men. I quote from an article in the *Age* of 2014 by John Elder:

Since 2005 —

this is in 2014 —

20 men have successfully claimed defensive homicide after killing other men. Only four battered women, for whom the law was designed, have been convicted of the offence ...

I raise that as an example of where the Parliament might have the most noble intentions of protecting victims of family violence, but they can have unintended consequences. I hope we are not back here in a few years time amending this bill because it has been abused. As I said, I hope that the special provisions in the bill will be enough to ensure that people do not abuse the system, be they men or women.

There are other elements of the bill that are concerned with harmonising the implementation of infringements and court fines and harmonising the powers available to the courts to make orders with respect to court fine and infringement fine defaults.

There are also amendments to address the sheriff's powers. The sheriff carries out motor vehicle detainment or immobilisation — in other words, they impound a vehicle. I like the euphemistic language in the second-reading speech:

... sheriff's officers frequently encounter a lack of cooperation or hostility ...

I hate to think what that sometimes manifests as. Indeed, I know there was a situation in Gippsland only

a few months ago that resulted in a siege that lasted 8 or 9 hours. An individual decided he did not want the sheriff to impound his vehicle. That caused quite a lot of concern in that town. The bill clarifies this issue, giving powers to sheriff's officers to restrain or direct a person. Currently that only applies if a warrant is being exercised or executed. This bill ensures that the sheriff's officers can use those powers if someone is actively resisting the detainment or immobilisation of a vehicle or the removal of a vehicle's numberplates.

There are also amendments supporting the implementation of the new system. As I said, the government is putting back the implementation date of this legislation to allow ICT to be developed and also to potentially allow for changes to the tolling infringement system. I know that has become a big issue with respect to CityLink fines in particular — how it is both clogging up the court system and also costing CityLink and Transurban considerable money, as well as the broader community.

As has been outlined, we are not opposing this legislation. I think in principle it is sound and it has merit. Hopefully it will make life a bit easier for people who unfortunately have suffered family violence.

Ms GRALEY (Narre Warren South) (17:50) — It is a pleasure to rise this afternoon and make a brief contribution to the Fines Reform Amendment Bill 2017. At the outset I would like to convey my support for the bill and commend the Attorney-General for bringing this legislation into the house. It is part of a general reform package around fines reform. I think it was over a year ago that I spoke about previous changes to fines bills. I have also asked the attorney a constituency question about fine indebtedness. This is a really big issue, and I am very pleased to see that this issue of fines and family violence is being tackled in this piece of legislation.

The new model that has been established by the attorney will focus on the total amount of fines owed by an individual or corporation. This is a debtor-centric approach. That is what organisations in our community that deal with these problems are asking for, rather than our current transaction-based approach. This will make it easier for people to understand and deal with their total indebtedness. The new fines recovery model will also enable vulnerable people who accumulate infringements due to circumstances such as mental health conditions or homelessness to be identified earlier, and the new model will better recognise the circumstances of these people and provide them with more options to deal with their unpaid infringement notices.

When I speak to support agencies in the City of Casey they report extraordinarily high levels of fines and indebtedness. Casey also has the tag of having extraordinarily high levels of family violence. This sort of legislation is really necessary, and frankly I cannot wait for it to get through both houses, because there are people out there who are wanting this sort of consideration around their fine indebtedness. There are also women out there who are saying, 'I want my problems that are associated with family violence matters dealt with by sensitive, well-trained people who understand that these fines are really dragging me down and creating extra problems with my partner and my family'.

It is terrific to see that the Andrews Labor government, which is strongly committed to supporting victims of family violence, is bringing this bill to the house. We are making sure that every one of the recommendations of the Royal Commission into Family Violence is implemented. This legislation relates to recommendations 112 and 113. These are important recommendations. In the bill that I mentioned earlier the government acquitted recommendation 113 by introducing family violence as a special circumstance under existing review revocation mechanisms. However, the special circumstances in that bill still required the applicant to admit or accept fault for offending behaviour, regardless of whether they committed it or not. That really does place a stress on many women. We are going to retain that option, but this new scheme fully addresses recommendations 112 and 113 of the Royal Commission into Family Violence and assists family violence victims who come into contact with the infringement systems.

We know that family violence survivors unfairly incur fines as a result of the perpetrator of the family violence — usually their partner or husband — using their vehicle to do all sorts of things. The member for Ivanhoe provided us with a terrific illustration of this, which occurred in his local area. That has been mirrored countless times in my own electorate. Women pay for a car. The perpetrator, being their husband or partner, then takes the car and drives madly all over Melbourne — for example, across the West Gate Bridge. He misuses the car and accumulates fines. These women are frankly too scared to go up to their partner and look them in the eye — and I do not blame them — and say, 'You've done the wrong thing'. All of those fines are a crippling burden on the household, and usually the woman. This is really important legislation.

I want to finish up by saying that this is a sensitive issue, and it is very important that Fines Victoria deals with the victims in a sensitive way. Victims may not have

previously engaged with support services, so they may be turning up to Fines Victoria for the very first time and telling them about their family violence matters. So it is very important that Fines Victoria has a dedicated staff to administer this family violence scheme.

The speaker before me, the member for Gippsland South, referred to the bill as establishing maybe a public service quango. Really? For the information of members on the other side of the chamber, Fines Victoria was actually established by a Liberal government in 2014 to deal with the matters that we are talking about today, which is fine indebtedness and the accumulated problems associated with that. This is very, very taxing for many families and in this case for many, many women.

We want to make sure that this is certainly not a public service quango. It is actually a group of trained people who will be able to sensitively deal with people, speak to the applicant or their authorised representative, support the victim in identifying and getting the required information, act as a contact for other providers to provide that network around the person experiencing family violence and act as a contact person for enforcement agencies.

How many times have I had to write a letter to the sheriff to say, 'This person has particular circumstances, and you may like to consider them'. This is exactly what needs to happen at Fines Victoria, and I am sure that the good people, the public servants that will be working at Fines Victoria, will do that job admirably. So rather than criticise it, get up and support the people that are going to do this very important work. Without further ado I commend the bill to the house.

Ms ASHER (Brighton) (17:56) — I appreciate the opportunity to say a few words on the Fines Reform Amendment Bill 2017. As all other speakers have referred to, part of this bill is the implementation of recommendations of the Royal Commission into Family Violence, where the end result will be that some fines will be the subject of a family violence scheme application and the director of Fines Victoria will determine if being a victim of family violence has substantially contributed to the conduct that led to the offence. All speakers have spoken about this element of the bill, which has obviously very, very worthy motivation.

I wish to refer to another part of the bill before the house because it is an issue that constituents have raised with me, and having corresponded with the government I am pleased to see that on the face of it the government

appears to be addressing some of those concerns. Whether this is perfect is another matter.

I refer to the second-reading speech, and I quote from it:

The bill will enable the director, Fines Victoria, to validly serve documents on debtors to an address that has been directly provided to Fines Victoria by the debtor. Individuals and companies which are the registered operator of a motor vehicle, do not always comply with the legal obligations to notify VicRoads within 14 days of any change of address. As a result, an authorised address, as recorded on the VicRoads driver licence and vehicle registration system, will not always be current. This amendment will assist in addressing the issue where residents sometimes receive large volumes of fine-related correspondence addressed to a previous occupant of an address.

I refer in particular to clause 67, which picks this up. In essence it is entitled 'Service deemed despite document being returned to sender'. This is in fact a substantial change to the way fines operate, particularly for motor vehicle fines, CityLink fines and the like. Clause 67 substitutes section 181 of the Fines Reform Act 2014, and I quote:

Despite anything to the contrary in section 179(6), a document served on a person by post and returned undelivered to its sender is taken to be served 7 days after the date specified in the document as the date of that document, despite it being returned to the sender undelivered ...

I want to explain why this is such a significant issue. I have had a number of constituents write to me about bombardment of their mailboxes, where previous tenants had left the premises without following through with what they are required to do to notify their change of address. In fact I have had two constituents who wrote to me — one on 11 September 2015 and the other on 5 October 2015 — both talking about bombardment of their letterboxes. One constituent received 50 fines for the previous occupant of the address. The other constituent, who was beside himself, received 170 fines for the previous occupant of the address and was obviously irate and said that he had actually lost control of his letterbox. He was angry because of the junk in his mailbox, he was angry because the woman who had lived there previously had not complied with the law — on the face of it, it would appear that the miscreant did not want to pay the fines — and he was angry obviously at the cost to taxpayers and to private organisations such as CityLink in having to carry out this sort of constant bombardment.

I hope this amendment that the government has brought to the house today does fix the problem that has been advised to it. Whether it does or does not is another matter. I can certainly advise the house that as a consequence of this bombardment of fines to my constituents I wrote to CityLink; I wrote to the former

Minister for Police, the member for Williamstown; I wrote to the Minister for Roads and Road Safety; and I wrote to the Attorney-General. I raised this as an adjournment issue on 12 November 2015, and I raised it also by way of a question on notice on 8 December 2015.

To the government's credit, all of those matters were answered, and of course the problem was spelled out by the government: in a nutshell, it is the system that is wrong, which was a point I made to the Parliament, and obviously that is why the government, I will say, listened to me and my constituents and why the government is bringing this amendment to the house.

Basically people are required under law to notify VicRoads of a change of address for their licence within 14 days, and if a person fails to do this, the current system demands that if the authority wants to recover fines, they will have to keep sending letter after letter after letter, although I have to say a bombardment of 170 letters is not reasonable.

I want to refer to a letter the Attorney-General wrote to me on 23 November 2015. He says:

Under the Infringements Act 2006, documents in relation to infringement offences are deemed to have been legally served when posted to an individual's address where that address is recorded in a register kept by a public statutory body, such as VicRoads. As you have noted, the law requires individuals to update their address with VicRoads within 14 days of that change. If a person fails to comply with that legal obligation, this may result in infringement offences being served by post to an address they have left.

The Attorney-General goes on to say exactly what the problem with the system is, and I quote:

Unfortunately, when a notice relating to an infringement offence is returned, an enforcement agency is not able to simply discontinue pursuing the offence and will continue to serve documents to the registered address.

The Attorney-General makes the valid point that people may not be notifying of their change of address because they want to avoid paying the fine. But of course my point, and the point of my constituents, is that the system is deeply, deeply flawed. I am pleased to see that the minister believes that these amendments will rectify this situation. I am not so convinced they will, but at least the government is attempting to do something in response to evidence that has been placed before it by my constituents, and I assume others.

Previously these sorts of matters had to be handled on a case-by-case basis. For example, CityLink wrote to me in response to my letter of 7 October 2015 and advised me that they had organised a stop to the harassment by

correspondence of my constituents. Similarly the Minister for Roads and Road Safety advised me that VicRoads had apologised to my constituent. This piecemeal approach to dealing with mailbox bombardment is not a good policy solution. A good policy solution is to deal with the problem, and the problem is that if someone leaves an address and does not notify VicRoads of their new address, they can avoid fines and the person who moves to the address cannot avoid the bombardment of their letterbox. In one instance my constituent even found on the internet where the previous tenant lived, but it would not suffice to pass that on because of course the system, as it exists now, did not allow for that.

We have before the house — and I appreciate the monumental significance of the family violence elements of this bill — a suggested solution from the government. I am pleased the government listened to constituents and indeed, in my case, to me as a local member of Parliament. This was a very, very poor system previously. I hope these changes stop the harassment of people who move into properties where there have previously been miscreants in terms of non-payment of fines and non-advisement of their change of address. I wish the bill a speedy passage.

Mr NOONAN (Williamstown) (18:06) — I am really pleased to make a contribution to this debate and in fact speak in support of it. I thank the Attorney-General for introducing the bill as well. When the Royal Commission into Family Violence released its report in March last year, the Premier obviously pledged on behalf of our government to fix what in his view was clearly a very broken family violence system. He committed to doing this by implementing all 227 recommendations stemming from the commission's report. Most critically, I think, the Premier committed to put victims at the heart of our reforms, as did my friend, the late Fiona Richardson. The Premier, Fiona and I think all members of our government realise that family violence is the number one community safety issue in our community. I want to thank the royal commission for its work and all those who contributed to the commission's work for essentially bringing forward the evidence which in part informs the bill we are debating today.

It became clear during the commission's work and through the evidence that was put before it that financial abuse of women in particular is one of the hidden forms of family violence. Victims of family violence are often left without any financial means to support themselves and sadly in many cases are reduced to a life of poverty. Melissa Davey from the *Guardian* wrote a very good piece on 16 July 2015,

which covered some of the evidence which was provided to the royal commission about financial abuse. She referred to the evidence provided by Julie Kun, the deputy chief executive of the Women's Information and Referral Exchange in Victoria. The article, I think, gave a very good summary of how this financial abuse may occur. I quote from that article:

Victims may be forced to hand over their pay cheques to their partner; may not be given access to bank statements and other financial documents; may have money withheld or be forced to leave their job so that they are financially reliant; be coerced into signing bank loans and other financial documents; may lose their job because of the stress of family violence affecting their performance.

Julie Kun's submission to the commission made it very clear that financial abuse made it very, very hard for victims to leave a relationship.

Another reference from Melissa Davey's article is to evidence provided by Denis Nelthorpe, the CEO of the Western Community Legal Centre. I did hear the member for Ivanhoe reference the good work of Denis and his team. I think it was really clear in his advice to the commission that financial service providers, including government agencies, must become more practical in their approach to collecting debt in family violence situations.

It is really clear from a couple of those contributions that the commission took on board this evidence and understood the financial impact of family violence. In all, the commission made seven clear recommendations that in some way go to addressing financial abuse. I think in reading each of those seven recommendations it is very clear that they are well considered and, most importantly, achievable. Two of those recommendations, numbers 112 and 113, are directly addressed by this bill. They have been referenced by other contributors during the course of this debate, so I will not speak to them again.

When you look at this bill, you can see that it is really important. These are very significant reforms which go to the current fines system for family violence victims. This bill will provide, importantly, a new model for dealing with fines, creating a streamlined administrative system through Fines Victoria. The system will deliver a single point of contact for victims when dealing with fines and will obviously provide a level of flexibility around their circumstances. The director of Fines Victoria will be responsible for the collection and enforcement of both court and infringement fines. The director will be afforded broad and flexible powers in obtaining information from applicants specific to their circumstances. In addition to statutory declarations, for

example, family violence safety notices and intervention orders and other types of evidence will be acceptable to the director when assessing those applications to the new family violence scheme.

With any scheme such as this, it is crucial that legislation is not the only protection in place, which is why this scheme will be administered by specialist trained staff. The bill will make engagement with the fines system easier and fairer. It will also ensure that no pressure to name an offender comes as part of the scheme. Without going through the details of the bill, I think we are all reasonably satisfied in this house that recommendations 112 and 113 are in fact delivered.

I also want to make reference in the course of my contribution to something that has not been referenced by anyone else, and that is some additional support that has been offered by the Andrews government in terms of providing targeted financial assistance to family violence victims. In particular I refer to a key investment announced in September last year by the Minister for Consumer Affairs, Gaming and Liquor Regulation. It was an important announcement by the minister of a new \$1.75 million investment to employ 10 new full-time family violence financial counsellors and to provide financial abuse training for all Victorian financial counsellors. I understand that this is an Australian first. Through this investment Victoria leads the way because these new financial counsellors are helping those in abusive relationships by negotiating with creditors and debt collectors. They are also helping to protect assets from repossession and helping victims access financial hardship programs.

This is a terrific investment. These are the types of investments that do not grab the headlines in newspapers, but they should because they are all part of the suite of initiatives that any government can invest in in order to provide the broadest level of assistance in an area which has obviously been identified during the commission's work as an area of real concern for victims, obviously trapping them in relationships that they would otherwise free themselves of.

I do want to give other speakers an opportunity to speak on this bill, but can I just say finally that I am very proud of our government because we recognise that family violence is the number one community safety issue. We are also prepared to be guided by the evidence. That is why we established the royal commission. That is why we have committed to implementing all 227 recommendations. That is why we are making record investments in family violence services, that is why we are making record investments in police resources and that is why we are prepared as a

government to stay the course in order to address the scourge of family violence. Most critically through this legislation and other initiatives we are placing victims at the heart of our response, and in fact that is why this bill matters. I commend the bill to the house.

Mr CRISP (Mildura) (18:13) — I rise to make a contribution on the Fines Reform Amendment Bill 2017, and The Nationals in coalition are not opposing this bill. The purpose of the bill is to establish a scheme to assist victims of family violence who come into contact with the infringements system; to provide for the referral, registration and collection of enforcement hearing orders; to further provide for enforcement warrants and bail; to provide for the Attorney-General and the minister administering part 2 and part 3 of the Victoria Police Act 2013 to enter into administrative services arrangements to support the functions of the director of Fines Victoria, the sheriff and Victoria Police; to further provide for work and development permits; to further provide for service of documents; and to make various other amendments.

The bill also amends the Sentencing Act 1991 to further provide for the harmonisation of court powers to deal with offenders brought before the court and amends the Sheriff Act 2009 to provide for the sheriff, in exercising certain powers under the Fines Reform Act 2014, to temporarily restrain a person, to direct that person to do something and to make it an offence to resist the sheriff in exercising certain powers.

It is a very comprehensive bill — technical and mechanical, yes, but nonetheless it is important to discuss certain issues. Firstly, the scourge of family violence continues to need to be addressed, and it would be so much easier for all of us if that scourge was not there. But it is, and once again we are dealing with some of the consequences of that. It does provide that all infringement offences other than non-registrable infringement offences, drink-driving, drug driving, excessive speed offences, rail and marine transport safety infringements and other prescribed offences are family violence scheme eligible. Some of those serious infringements are not eligible; however, many others are, and if this helps just a little, then it is important.

The bill also establishes Fines Victoria as a new body to undertake the collection of various fines. I understand that Civic Compliance Victoria will ultimately become part of Fines Victoria, and this leaves us with a particular issue that has been the bane of my life as a member with constituents for a long time, and that is the address issue. Civic Compliance Victoria use the VicRoads database. VicRoads require a residential address. I have dealt with a number of people who did not get their mail delivered

and who found that their situation with Civic Compliance Victoria had escalated without them actually receiving the paperwork, so what I am hoping is that when Civic Compliance Victoria becomes part of Fines Victoria it finds a better way of being able to manage getting people's postal addresses as well as their residential addresses in order to facilitate the servicing of fines or other notices that are necessary.

There is a way around this, but it is often not easily found or made known, so when Fines Victoria settles into its role I think it needs to make this known to people who do not get their mail delivered to their residential address or the address that is on their drivers licence and ensure that those infringement notices find their way to them by the usual means and not by the sheriff.

That brings us to the sheriff's powers, which have changed as well. Sheriffs work in highly emotionally charged situations normally. They are there generally to serve something on people who are not in happy situations in their lives. It is difficult work, and it also requires being sensitive. Particularly during the drought and at other times people were leaving their farms not under circumstances of their wishes, and these are very, very difficult situations — as I said, highly emotionally charged. There needs to be understanding on both sides about this. This does strengthen that for the sheriff's office, but I am hoping it does not diminish their sensitivity to some of the issues involved in certain circumstances where what they are doing is legal but has a traumatic effect on people's lives. It is probably necessary, but as I have said, it is very important that the sheriff's office continues to show the wisdom that it needs to show in those highly emotionally charged situations.

Other areas that this bill brings into play are around again providing a way for that family violence victim to be able to make a case and get out of yet another problem or entanglement they have which is complicating their life. With people who are in fact suffering from family violence, they are trapped in what is the important and the immediate. The important is how to change the lives of those concerned, but the immediate is to be safe and not to worry about where you parked the car and other things that happen to occur along the way.

This section also strengthens certain things about the enforcement of warrants and bail in family violence and other areas. Particularly with family violence we have some recidivist offenders who just do not get the message and, for various reasons, the court may have made certain rulings which, over time and for whatever reason, the offender chooses to ignore. That too will

then bring them back to the court for breaching those. Anything that can further enforce warrants, bail or those other conditions is something that I think needs to be looked at, yet how you deal with recidivist family violence offenders and those who ignore court orders remains difficult.

We also have an issue — I live in a cross-border community — where there is not an effective system between states for various family violence orders. I know this is something that both the New South Wales and Victorian governments are endeavouring to address, and it is something that is important. In the case of someone who has a history of family violence and has a restraining order on them in New South Wales, if the family move across to Victoria, then a person has to offend in Victoria in order for the family to have protection. This is an unwanted addition to the stresses that those families are under. Border hopping is not an uncommon circumstance in many families as they try to move around for various reasons, including family violence.

With that, I am happy to be not opposing the bill, but I do want to bring home a number of issues that I have discussed, particularly around the integration of civic compliance when it occurs and getting our country addresses for serving notices sorted out.

Ms KILKENNY (Carrum) (18:22) — I am very pleased to be able to rise to speak on the Fines Reform Amendment Bill 2017. As we have heard, this bill will amend the Fines Reform Act 2014. When the act commences it will establish a new fines recovery model for the collection and enforcement of infringement fines and court fines.

I have spoken previously on an earlier bill to amend the act, and that was to introduce measures designed to make Victoria's fine system more equitable and fairer for those who come into contact with the fines system. That is because we understand that the current system does not fit all people. Obviously our purpose is to ensure that the system is fairer and more equitable, particularly for vulnerable and disadvantaged members of our communities. That is part of our commitment to making sure that the criminal justice system is responsive to those members of the community and takes account of the particular needs of those people in our communities. We obviously want to reduce rates of reoffending and imprisonment, and make Victoria a safer place for all of us.

With the introduction of the earlier bill — the Fines Reform and Infringements Acts Amendment Bill 2016 — this government brought forward a range of

social justice reforms and initiatives. One of those main initiatives is the work on the development permit scheme. That is a scheme to enable eligible people, primarily vulnerable, disadvantaged Victorians, to have an option to extinguish their debt or their infringement via non-financial means — for example, through approved activities or treatment. That will include people who may have an intellectual disability, an addiction, a mental disability. They would be eligible for that scheme.

The bill before us today builds on that tremendous work that we have already started. As we have heard, this bill will do a number of things. Significantly this bill will amend the Fines Reform Act to establish a scheme that will assist people who are victim survivors of family violence who may come into contact with the infringements system. As we have heard, this is in response to two recommendations of the Royal Commission into Family Violence, recommendations 112 and 113. Once it amends the act, this bill will fully and directly implement our government's response to those recommendations.

Recommendation 112 of the Royal Commission into Family Violence is for an investigation into whether the Road Safety Act 1986 should be amended so that if a perpetrator of family violence incurs traffic fines while driving a car registered in the name of the victim, the victim will be able to have the fines revoked. Recommendation 113 is that the Victorian government amend the Infringements Act 2006 to provide that the experience of family violence may be a special circumstance entitling a person to have a traffic infringement withdrawn or revoked.

We heard through the substantial body of work that the Royal Commission into Family Violence did that car-related debt issues arise in family violence circumstances. Sadly, we heard and saw evidence through submissions made to the royal commission that some perpetrators incur parking and traffic infringements while driving vehicles registered in the name of victim survivors of family violence. In other cases parking and traffic infringements incurred by the perpetrator are attributed to the victim survivor of family violence. Of course there are also those circumstances where victim survivors of family violence may incur fines while experiencing family violence — for example, if they are having to flee unsafe circumstances, they are experiencing homelessness or they are sleeping in their car.

Our previous amending bill addressed recommendation 113 of the Royal Commission into Family Violence by introducing family violence as a

special circumstance under the existing review and revocation mechanisms; however, it still required a victim survivor of family violence to admit fault for the offending behaviour. In other words, in order to have that fine revoked, the victim survivor had to first agree to accept liability or otherwise nominate the driver — usually the perpetrator — as the person involved in incurring the fine. That obviously can put the victim survivor of family violence at risk and fear of retribution or retaliation.

Clearly this does not cover all situations, so the new scheme which is contained in the bill before us will fully address the royal commission's recommendations by addressing those particular situations where the victim survivors are not the drivers but incur fines in their name where the perpetrator has been using the vehicle.

This is a really important initiative that will address family violence. There was a recent press article where Victoria Legal Aid's acting strategic advocacy manager, Damian Stock, said:

... fines incurred through family violence had been a substantial problem.

He said in some cases perpetrators tormented their victims by deliberately using their cars or e-tags and even encouraging their friends to use them.

This is an important scheme that is going to address a number of issues that were identified by the Royal Commission into Family Violence.

Obviously it is important that, as a stand-alone scheme, the scheme is administered by a specialist trained staff. Work needs to be handled sensitively. Indeed staff at Fines Victoria will have a broad responsibility to assist victim survivors of family violence that will go beyond just considering an application or assessing an application on the papers. We will see staff support the victim survivors of family violence to identify and obtain the necessary documentation, proof or evidence that they need to support their case. Staff will act as points of contact with other agencies, such as enforcement agencies, community law centres and financial counsellors.

Whilst victim survivors will need to provide evidence of family violence, which includes a statutory declaration, we also understand and fully acknowledge that many victim survivors of family violence may not have that formal paper trail demonstrating circumstances of family violence. For example, they may not have felt able to report family violence to police or they may not have obtained a family violence intervention order. With this understanding, flexibility

will be built into the scheme. The director of Fines Victoria will be given broad and flexible powers to obtain a variety of information about individual circumstances.

Really, the guiding principle behind these amendments, focusing on the family violence aspect of this bill, is about balancing the important safety objectives of the criminal justice system with the protection of family violence victim survivors. Having said this, it is also important to note that the bill does carve out a number of very serious offences; for example, offences such as drink-driving, drug driving and excessive speed will be excluded. These offences are dealt with very differently under the infringements process and a different process exists for people to object to those. The bill and the family violence standalone scheme will not interfere with those particular issues.

Tolling offences under the Melbourne City Link Act 1995 and the EastLink Project Act 2004 are proposed to be treated in the same manner as other offences that are eligible for the family violence scheme. With regard to tolling debts incurred, this is going to be a matter between the tolling companies and the operators of the vehicles. We have heard that extensive consultation has taken place to achieve the amendments proposed in this bill. That has included the road safety, law enforcement, community legal and family violence prevention and advocacy sectors.

This legislation is an important step in this government's agenda to address and end family violence here in Victoria. It is the state's number one community safety issue, and it faces us all. The amendments in the bill recognise and acknowledge the pressing need to have a standalone scheme to support victim survivors of family violence within the infringements system. I commend the bill to the house.

Mr WATT (Burwood) (18:32) — I rise to speak on the Fines Reform Amendment Bill 2017. Most people in this debate have spent a bit of time on the family violence aspects of the bill and the family violence scheme (FVS) that is going to apply. I am not going to be any different. Noting that that is not the only thing the bill does, rather than speaking more broadly on the bill I want to concentrate a little bit on the family violence aspect of the bill, understanding that the bill implements recommendations 112 and 113 of the report of the Royal Commission into Family Violence. Recommendation 112 states that:

The Department of Justice and Regulation investigate whether the Road Safety Act 1986 (Vic.) should be amended so that, if a perpetrator of family violence incurs ... fines while driving a car registered in the name of

the victim, the victim is able to have the fines revoked [within 12 months] by declaring:

They were not the driver of the vehicle at the time of the offending.

They are a victim of family violence — as evidenced by a statutory declaration, a copy of a family violence safety notice or family violence intervention order, or a support letter from a family violence worker, general practitioner or other appropriate professional.

They are unable to identify the person in control of the vehicle at the time for safety reasons.

I actually wanted to read that whole recommendation into *Hansard*. I am happy for members on the other side to show me where I am wrong, and if I am wrong, I am happy to accept that. My understanding of the family violence scheme and what constitutes an eligible person under that scheme is that you have to be able to show, firstly, that you are a victim of family violence. I am happy to go into that in detail a little bit later. Recommendation 112 is about what happens if you are not the driver, and recommendation 113 is about what happens if you are the driver. I am going to concentrate a little bit on recommendation 112.

Clause 10U of the bill, headed 'Cancellation, waiver and withdrawal of FVS eligible offence in respect of FVS eligible person', states:

(3) Subsection (1) does not apply to an FVS eligible offence to which section 10V applies.

Clause 10V, headed 'Suspension of enforcement of operator onus offence in relation to FVS eligible person', reads:

(1) This section applies if—

- (a) an FVS ... offence is an operator onus offence for the purposes of Part 6AA of the **Road Safety Act 1986**; and
- (b) the FVS eligible person was—
 - (i) the operator (within the meaning of Part 6AA ...) of a motor vehicle; and
 - (ii) not the driver ...

The reason I raise that is because clause 10V of the bill says you are not the driver but you are accepted as being a victim. Clause 10V also states:

(2) Within 21 days of receiving notice from the Director that the FVS applicant is an FVS eligible person, the FVS eligible person may make a written request ... for the suspension ...

That is the really important thing, because if you are talking about a suspension, the bill provides for a suspension. Clause 10V reads:

- (3) If the Director receives a written request ... subsection (2) ... may suspend any enforcement action that may be taken under this Act and the **Infringements Act 2006** against the FVS eligible person in respect of the FVS eligible offence for a period not exceeding 6 months.

I am happy to be proven wrong here, and I honestly hope I am misreading this. The bill tells me that we are suspending the process. We are not actually cancelling the offence, we are actually suspending it for six months. Let us say you are a victim of family violence and you have got a partner who quite easily flies off the handle. The reason we need to deal with the fines issue is because if you were to allocate those fines to an abusive partner, whether or not you are living with that partner or you are separated from that partner, if you really fear for your own safety then recommendation 112 of the royal commission's report actually says that we should cancel the fine — that the victim is able to have the fines revoked.

We are talking about revocation in recommendation 112, yet clause 10V actually talks about a suspension. That is a very important distinction. Revocation means it goes away and that you never have to do in your abusive partner. It means that the person who actually fears for their safety gets to move on with their life, particularly if the two people have separated — if you have separated, you can move away. You might still have kids, and you might still have to deal with the person with the kids, but recommendation 112 actually calls for revocation.

I can understand the revocation aspect if you are the driver. That is what we are talking about in clause 10U. Once again I am happy to be proved wrong on this, but my reading of the bill is that clause 10U says that if you are the driver, you can have your infringement cancelled. That is recommendation 113, which states that if you are the victim of violence and you were the driver and you committed a traffic offence and the reason you committed the traffic offence was because you were a victim of violence escaping the violence, everybody says yes, you can have your traffic infringement withdrawn or revoked. Of course if you are driving your car at a slightly faster speed to get to a police station so you can tell them that you have been a victim of violence, and you can prove that to the satisfaction of the director — I am not talking about a high bar, but whatever the bar is, you can prove that you are a victim of violence — then most people would look at it and say, 'That's pretty logical'. Of course we

should say, 'If you have proven to the director's satisfaction that you are a victim of violence and you committed an offence in escaping that violence, then you should not have to pay the fine, no problems'.

But recommendation 112 actually says that you should have the fines revoked if you were not the driver. There are stipulations: you need to satisfy the particular authority with your declaration that you were not the driver at the time of the offence, so you do not qualify under clause 10U — clause 10U is about when you are the driver. Now that brings us to clause 10V.

Recommendation 112 states:

They are a victim of violence — as evidenced by a statutory declaration ...

I have not even gone into what the evidence was and what the director uses as a measure to determine whether or not you are a victim of violence. The recommendation very clearly says a statutory declaration should suffice. The Premier has said a number of times that every single recommendation will be implemented — all 227 recommendations. I have got to say that if this is your interpretation of implementing recommendation 112, you have failed. The distinction between revocation and suspension is important.

Going further through recommendation 112, we have got the statutory declaration to say, 'Yes, you're a victim'. That would suffice under this recommendation. The recommendation also states:

They are unable to identify the person in control of the vehicle at the time for safety reasons.

If we were fully implementing recommendation 112, the bill would say that if you were not the driver and you are able to provide a statutory declaration that you were a victim of violence and you are unable to provide the name of the driver because you fear for your safety, then your infringement is eligible for revocation. It disappears.

Besides the fact that clause 10V is clearly not a representation of recommendation 112 — not even close — the other point I make is why would anybody, as a victim of violence, ever want to say that their partner or ex-partner was driving the car? Why would they not just say, 'I'm a victim of violence. I can prove I was a victim of violence through a statutory declaration to the satisfaction of the director. I will accept liability for driving the car', and then it will all be revoked anyway? What we are actually encouraging people to do is postpone the inevitable retribution from a partner, which is not what recommendation 112 calls

for, or accept liability for being the driver in the first place, which is clearly the way people are going to go. People are going to say, 'I'll just tell them that I was driving the car because then there won't be any retribution, and I won't have to put up with the violence that is going to ensue'.

Ms COUZENS (Geelong) (18:42) — I am pleased to rise to speak on the Fines Reform Amendment Bill 2017. The bill supports the government's plan to address family violence by implementing the government's response to recommendations 112 and 113 of the Royal Commission into Family Violence. This bill is really significant to many women in my electorate — women who I have met with, who have told their stories and who have been left with quite massive fines from partners and husbands who have used their vehicle to run up these debts.

The bill also supports the introduction of a new fines collection and enforcement system under the Fines Reform Act 2014, which will make engagement by the public with the fines system easier and fairer. The bill will amend the act and other relevant legislation to establish a new customised and standalone system for victim survivors of family violence who come into contact with the infringements system.

Recommendation 112 of the report of the Royal Commission into Family Violence recommended amendment to the Road Safety Act 1986 so that if a perpetrator of family violence incurs traffic fines while driving a car registered in the name of the victim, the victim is able to have the fines revoked within 12 months by declaring they were not the driver of the vehicle at the time and that they are the victim of family violence, with evidence that they are unable to identify the person in control of the vehicle for safety reasons.

Recommendation 113 recommended that the Victorian government amend the Infringements Act 2006 to provide that the experience of family violence may be a special circumstance entitling the person to have a traffic infringement withdrawn or revoked within 12 months. The Royal Commission into Family Violence found that the lack of financial security has a significant impact on a victim's financial wellbeing and puts them at financial risk and that economic abuse is a form of family violence that is not well recognised by the community, service providers or police.

We know from the report and from our own experiences within our communities that a lack of awareness and understanding has a major impact and that poverty due to family violence is extreme. A perpetrator's control of household finances has an

impact, and a perpetrator incurring debts in the victim's name has a major impact. The royal commission report specifically highlighted the issue of car-related infringements and debt and the consequences for victims, including perpetrators incurring parking or speeding fines in their own vehicle and then attributing them to the victim, driving the vehicle registered in the victim's name and incurring parking or speeding fines and leaving them to the victim, or the victim incurring parking fines because they have been using their car as their only safe place.

I have had quite a number of women from my electorate of Geelong come and speak to me about these very issues. One story in particular I wanted to share was that of a woman whose partner continually incurred speeding fines in her vehicle and refused to pay them. She came to see me and was in quite a distressed state for a number of reasons, firstly regarding her safety and that of her children. She had left that partner, so she was living in fear, basically.

The second part of that was the fines in excess of \$6000 that she now had to deal with. The majority of those had not been incurred by her. On a number of occasions she had escaped from the family home with her children and parked the car in the city because she felt safe being in the city where there were people around. She felt that being in a public place was probably better for her and her children. She had no money for the parking meter, she had run out of petrol and she was stuck in the parking bay until a friend came to bail her out a couple of hours later. But in the meantime she incurred a parking fine because she had not been able to put any money in the meter because she did not have any money with her because she had escaped the family home in a hurry with her children.

For her they were common occurrences. He had driven her car and had accumulated thousands of dollars in speeding fines. With the speeding fines and the parking fines that she had incurred herself she faced a debt in excess of \$6000 with no way to pay. When she came to see me she was, as I said, in a very distressed state. She was at risk from her partner, about to face a court hearing and asking me to help her try and sort something out. She had already tried on many occasions to sort something out, but it just had not happened, and she had to front court within a few days of coming to visit me. She then left my office, and sadly I did not hear from her again.

I do not know what actually happened in the end. She is clearly not in the Geelong area. Obviously I do not know what happened in the court case, but she is not around Geelong anymore and has escaped for obvious reasons.

The tragedy of that was not only that she was in the situation of trying to protect her children and escaping from that situation but that she also had these massive fines hanging over her head that nobody could help her with. They are the sorts of situations that this bill will address. I would hope that for women like her — and I know there are women in Geelong waiting for this bill to pass — they will at least feel some comfort in the fact that there may be a way out for them.

This story is only one example of the tragic stories that I have heard in my electorate office. As I said, there are many women in Geelong that are really hanging out for this bill to be passed. I congratulate the minister, the Premier and all those involved with not only initiating the royal commission but also making the commitment to ensure that every one of those recommendations is actioned, including this one in particular.

I do want to make reference to the financial counselling service Diversitat in Geelong. As the member for Williamstown mentioned earlier, this government has provided funding for financial counsellors to work specifically in the family violence area. We have that in Geelong now, which is fantastic, so the women coming to me I can now refer to that service. I could before, and I did refer them to that service, and the service has done an amazing job for many, many people. I think we should recognise the work of financial counsellors who are dealing with these sorts of situations on a daily basis. They provide support to family violence victims on a regular basis to ensure that what we refer to as sexually transmitted debt and those sorts of issues are dealt with.

This bill will make such an impact on the financial counsellors being able to do a better job than what they have been able to do in the past in terms of fines. I do want to commend the work that they do. They are an amazing service in Geelong, and we have many fantastic services in Geelong that are also very much in support of this bill and all 227 recommendations that came out of the royal commission.

For all of us here in this place, this is a bill that we need to support very strongly. As I said, I know that in my electorate of Geelong there are not only the victims and services but the general community of Geelong that have taken up the issue of family violence very strongly. We have had lots of different forums and discussions about these very issues. I cannot recommend the bill any more strongly than I already have, so I commend the bill to the house.

Mr PEARSON (Essendon) (18:52) — I am delighted to join the debate on the Fines Reform

Amendment Bill 2017. As other speakers have said tonight, this is a really important piece of legislation that builds on the work of the Royal Commission into Family Violence. When you are looking at such a huge, intractable problem like family violence, you must try to use a number of different levers or a number of different approaches to tackle the issue.

When you are dealing with violent men — and overwhelmingly it is men — men will use any number of forms of violence in order to achieve their outcomes and objectives. For example, in a family that is very well known to me, the relationship and the marriage broke up, and it was at the instigation of the woman. The man thought that it would be a good idea to one night get drunk when he knew that his ex-partner was at her new partner's place, get in the car with his then five-year-old son, go around to the house, break into what was the family home, run through it and trash it. His son was sitting in the car at the age of five, saw it all and was traumatised.

You just cannot fathom why someone would do that. You cannot fathom how anyone could think that that is in any way an appropriate way to behave. But it happens, and violence manifests itself in many ways and many forms. For some people it is a level of overt physical violence that they perpetrate. For others it is a more subtle form of violence, but it can be devastating for the recipient.

One of the great privileges that you have as a member of this house is that you get to meet a wide range of people you would not normally cross paths with. You learn of stories and you hear things which you would not normally hear in your normal circle. There was a woman who came and saw me. She was not a victim of family violence, but she had a really compelling story, and that was that she lived in public housing, she had two children and was pregnant with her third, she was on Centrelink benefits and she had gone back home to Somalia to visit some family and friends. While she was overseas — and she was gone for some time — the registration on her car expired. She did not have any money in her Transurban account. She had let other members of the community drive her vehicle in her absence, so when she came back to Melbourne she had \$30 000 worth of debt.

Often, as members would know, when someone comes to present at your electorate office you are usually the last port of call, not the first port of call. So I was sitting down with this woman trying to work my way through it. Of course the car was unregistered and there was no money in the CityLink account, so every time it went onto the Tullamarine Freeway — bang! — there was an

invoice for the fact that there was no money in the account and VicRoads were notified that the car was unregistered. I think it worked out to be that every single offence was roughly around about \$400 or \$500. It is an enormous amount of debt for a woman to carry. Again, for this particular woman it was probably a lack of oversight or a degree of carelessness. Maybe it was members of her community taking advantage of her. But I remember looking at this woman and thinking, 'With what she currently earns, how on earth is she supposed to clear a debt of this nature?'

Clearly when you have got victims of family violence and the perpetrators of family violence are deliberately trying to rack up these debts as a way of trying to shackle their former partners to a horrendous state of affairs, it is terrible. I do commend the work of organisations like the Moonee Valley Legal Service. The Minister for Industry and Employment is at the table, and the minister and I know Brendan Lacota from the Moonee Valley Legal Service very well. Those community legal services do a great job in terms of trying to provide some aid, help and assistance to members of our community who are struggling and who are often victims of family violence.

Trying to find legislative mechanisms now to try to stamp out this level of violence and control that is perpetrated on victims I think is really important. Again, when you are looking at the really complicated issue that is family violence, there is no silver bullet. I think the reason why the royal commission came up with so many recommendations was the fact that there is a need to pursue a number of different options in order to deal with this matter. Ensuring that the victims of family violence, who invariably are women, are not going to be shackled with this debt I think is really important, as my good friend and colleague the member for Geelong indicated in her contribution just prior to mine.

The other point I would like to make in relation to the bill before the house is on making Fines Victoria a single point of contact. I raise this as a point of efficiency and effectiveness. I think where you have got one single point of contact as opposed to multiple layers of administration, you probably maximise the chances that you are able to have a bit of leniency brought to bear and you are able to have a more efficient use of taxpayer resources in chasing these debts. It means that therefore you might have a greater level of discretion available than would otherwise be the case, and we might be able to find, in terms of the fine itself, that we minimise the administrative costs, which is a desirable thing and a very good thing. With these sorts of matters where we can try to be as efficient, effective and lean as we can be in terms of the

administration of justice in the state, that is a really good thing that we should be trying to do. So having a single point of contact for debtors, being Fines Victoria, I think is very important.

I note the contribution made by my friend the member for Narre Warren South, who indicated that Fines Victoria was actually a creation of the former coalition government in 2014 to that effect. I think that was very important because, again, trying to find where you can have that single point of entry for people to engage on issues in relation to fines is vitally important. It will lead to greater levels of efficiency. Again, I think we are in a world where we are trying to be far more lean, efficient and effective by having those sorts of mechanisms available to us rather than having these fines ricocheting around different government departments and agencies, racking up more and more administrative expenses. Where that happens your ability to have a degree of discretion disappears and evaporates.

For those reasons, I think this is a really important piece of legislation. I am delighted to belong to a government that is tackling the issue of family violence head-on by pursuing a number of these initiatives. It is a very good piece of legislation, and I am delighted to support it. I do commend the bill to the house.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — The question is:

That the house now adjourns.

The Pillars, Mount Martha

Mr MORRIS (Mornington) (19:00) — (13 393) I raise a matter this evening for the Minister for Energy, Environment and Climate Change. The action I seek from the minister is that she meet with Shire of Mornington Peninsula councillors, local emergency services representatives, interested community members and me to hear firsthand the issues with The Pillars at Mount Martha and that she do so as a matter of urgency. I raised this issue in the house in February 2016, in September 2016, in February 2017 and now in October 2017. I have even tabled a petition about this matter, and we still have not seen any real action — lots of talk, lots of words, but no real action — to try to resolve this issue, and it is a significant issue.

This is a location remote from Mount Martha village and a long way from any beach. It is a cliff that people jump off, that kids jump off, and they have done so for

generations, but whereas there were two or three or four or 10, there are now two or three or four or five or six or seven hundred at a time, and it is causing significant problems. The Mornington Peninsula shire has identified that there are significant environmental and cultural heritage impacts. The sheer volume of foot traffic is causing significant erosion in the locality.

There are obvious safety risks associated with jumping from The Pillars in terms of injury from jumping into shallow water, but there are also safety risks associated simply with accessing The Pillars in the first place and the number of pedestrian movements on a road that is simply not capable of handling that sort of traffic. There are an enormous number of illegally parked cars, and it is clearly unsafe in the vicinity of The Pillars. There is antisocial behaviour, there is offensive behaviour, there is increased fire risk and there are challenges for emergency services simply getting through the cars that are illegally parked.

The council has written to the minister and asked for her consent to fence off the site as a temporary measure. She has written back and said, 'No, you can't do that'. But I think what she does not appreciate is the enormous diversion of resources, particularly for the emergency management services and for the police. The strain that this situation is putting on those services is immense. It is greatly inconvenient for the local residents, and there are some security issues and concerns for them, but the strain being placed on the local emergency services is intolerable. I urge the minister to come down and talk to the groups I have identified as a matter of urgency.

Victoria State Emergency Service Chelsea unit

Mr RICHARDSON (Mordialloc) (19:03) — (13 394) My adjournment matter this evening is for the Minister for Emergency Services, and the action I seek is for the minister to update my community on the progress and time lines for the redevelopment of the Victoria State Emergency Service (SES) Chelsea unit. Of course in this Victorian state budget, the 2017–18 budget, the Victorian government committed \$2.8 million towards the redevelopment of the Chelsea SES unit. It was an absolute credit to the unit controller, Ron Fitch, and to the many volunteers that support the Chelsea SES that this project saw the light of day. It has been many years of advocating and many years of representation to government, and to achieve that outcome was an extraordinary day.

Just recently I chaired the first project control board meeting, a similar structure to what we had for the redevelopment of the Edithvale Country Fire Authority (CFA) station, bringing all agencies together, including

Scope Victoria, Chelsea SES, the local council and other stakeholders. It was a very positive meeting, but there are a lot of challenges ahead to make this project a reality, including landownership issues in Aspendale and the need to work closely with council on environmentally significant issues.

This shows our record in emergency services, with the investment that we make. Edithvale CFA was a \$3.5 million redevelopment. The Edithvale Life Saving Club — a \$3.5 million development as well — has been an extraordinary project for our community. It goes hand in glove with our commitment to community safety with our record investment in Victoria Police members and 450 additional paramedics. Our commitment to community safety is a very strong focus, and we are determined across all agencies, police and Emergency Management Victoria to do all we can to support our community and support the volunteers that support our community in times of need, be it in flood, in storms, in rescue and in road rescue as well. I ask the minister to update my community on the redevelopment plans for the Chelsea SES unit.

Myrtlebank-Fulham-Maffra-Sale roads, Myrtlebank

Mr T. BULL (Gippsland East) (19:05) — (13 395) My adjournment is to the Minister for Roads and Road Safety, and the action I seek is for the minister to ensure that VicRoads undertakes a comprehensive consultation process in relation to its preferred option for the realignment of Myrtlebank-Fulham Road with Maffra-Sale Road, a project that is also known as the alternative truck route for Sale. Whilst I am aware that some preliminary consultation took place and closed on 17 August, I have since been advised that a map outlining two options has been presented to some local residents in that area. However, as of last week I believe it had not been provided to the wider community, local MPs or the Wellington Shire Council.

This intersection carries increasing traffic volumes for motorists who wish to bypass Sale and save a bit of time travelling either to or from Melbourne. It is very important once a preferred option is identified on a project of such importance as this that the community is specifically consulted. There is a disconcerting trend emerging where this government decides behind closed doors what is best for communities in rural and regional Victoria and then tells us, or tries to persuade us, that it is a good idea. The project to install wire rope safety barriers on the Princes Highway between Sale and Bairnsdale is a classic example of this, where the only consultation that took place was community sessions at which VicRoads told the community what was being

done. Never was the community, or emergency services for that matter, asked if this was what was wanted in the first place. I now call on the minister to ensure that a comprehensive public consultation process is undertaken in relation to any preferred options that are announced in relation to this particular project.

Mahogany Rise Primary School

Mr EDBROOKE (Frankston) (19:07) — (13 396)
My adjournment matter is for the Minister for Education, and I ask that the minister visit Mahogany Rise Primary School and witness for himself the unique lunchtime program they have tailored for their community. Last year the primary school hatched a plan to provide 150 hot, nutritious lunches every single day for their students to prevent them being hungry and distracted. A few weeks ago they served their first lunchtime meals. It is a fantastic idea, and I would like the minister to come down and see the fruits of our labour. I look forward to the minister's reply and subsequent visit.

South Barwon electorate transmission line easements

Mr KATOS (South Barwon) (19:08) — (13 397)
My adjournment matter is for the Minister for Energy, Environment and Climate Change. The action I seek is for the minister to investigate and provide an update on transmission power easements, in particular the Grovedale, Marshall and Armstrong Creek transmission lines and easements, and advise whether these are to be removed, relinquished or maintained. Many constituents have contacted me seeking updates on the current transmission lines and easements in place through the electorate, namely in the suburbs I have just mentioned.

The minister may recall that some of these transmission lines were established to provide power to the Alcoa smelter at Point Henry from Anglesea, and now that the Anglesea power station has closed and Alcoa has ceased operation these powerlines and easements, as my constituents rightly imagined, are no longer required. However, I am also seeking information on behalf of constituents who are on the vacant easement land underneath the transmission lines in Grovedale and Marshall and on easements that have had no action or have not been built on. For example, my constituent Phil Knight of Grovedale, whose property abuts the unused easement in Hindle Street, would like to know if this easement is going to be used, relinquished or maintained for future use.

Similarly, Glynn and Wendy Harkness of Armstrong Creek have also contacted me seeking updates to the

longer term plan for the easements running through their property, which were originally there to supply Alcoa. On 13 February this year I made representations to AusNet Services seeking information on these transmission lines and easements and requested a meeting to receive an update. I was contacted by AusNet Services and told that a meeting would indeed be possible, and after much toing and froing a date was proposed and agreed to. When this date was close, AusNet cancelled the meeting, and understandably I requested another date. By this stage it was June, and as the minister would understand the list of constituents with queries on the matter had grown.

I was told by AusNet that they were currently receiving further information from the Australian Energy Market Operator and that they would get back to me in due course to arrange a meeting. However, in September, being frustrated by not receiving any response, I again approached AusNet to arrange the intended meeting, but this time I received nil response despite further follow-up emails and phone calls. Quite frankly I have found AusNet's lack of response to be quite pathetic.

I also met with Richard Bell and Andrew Broadfoot, both Grovedale residents, who are interested to know the future of their easements. Richard and Andrew, whose easements GPH51 and GPHX51 have not been built upon, are of the view that Powercor can double-string some of these lines and therefore not require the use of the easements.

I would be happy to provide the minister with further information with regard to these easements as they are quite technical matters and there is only so much that you can say in an adjournment debate. Again, I ask the minister to please investigate the future of these easements in Grovedale, Marshall and Armstrong Creek and advise whether some of them are to be removed, relinquished or maintained. That is all constituents wish to know — the future of these easements — and they are happy to accept whatever is determined.

Bunjil Place Library

Ms GRALEY (Narre Warren South) (19:11) — (13 398)
My adjournment matter is for the Minister for Local Government and concerns the new library at Bunjil Place in Narre Warren. The action I seek is that the minister visits this new library. This new library will replace the Narre Warren Library, which has come under significant pressure from our growing community. In the 2014–15 financial year alone this library was visited almost 430 000 times and provided over 730 000 loans. I have long advocated for a new library for our community, and I am so pleased that the

Andrews Labor government has provided \$750 000 for the new library. I look forward to getting stuck into a good book with the minister at our new library soon.

Bunyip North quarry

Mr BLACKWOOD (Narracan) (19:11) — (13 399) I wish to raise a matter for the attention of the Minister for Planning, and the action I seek is that he appoint a representative of the Bunyip North community to the technical reference group that will provide advice on the proposed Hanson quarry at Bunyip North. The Minister for Planning has directed that an environment effects statement (EES) process be undertaken for the Hanson Construction and Building Materials proposal for a new, very large granite quarry in the district, the equivalent in area to Melbourne's CBD. This quarry proposes to extract more than 1 million tonnes of granite per annum for 100-plus years, a very significant project.

The Bunyip North community were very pleased the minister decided to order the proponent to undertake an EES for such a large project in such an environmentally sensitive and key agricultural area. The EES process is the most effective way for the minister to evaluate and decide on Hanson's proposal. The Gippsland region is rich in mineral and rock resources, and the Bunyip North community believe that the EES process will highlight many serious shortcomings with the presently proposed location, so much so that the proponent will seek out a more appropriate, less environmentally damaging site for their quarry.

Many submissions have been made by the community on the scope of the EES, and the Department of Environment, Land, Water and Planning has distilled 204 individual items of concern as identified by residents in their submissions. Despite the 204 items identified, only 56 words were added to the final EES scope. At this stage the residents have no assurances that these concerns will be acted upon or incorporated within the EES process by the proponent, Hanson. The community at large do not have faith in the honesty or integrity of Hanson as there have been many incidents of factual errors, half-truths and ongoing attempts to spin situations to the proponent's advantage. A fair and reasonable representation of the community's concerns by the proponent is held to be significantly in doubt.

The residents are asking for certainty regarding these concerns — to have the proponent list the concerns and identify the action to be taken for each one by the proponent as part of the EES. Obtaining this certainty would be best achieved by the appointment of a

community representative on the technical reference group (TRG) as either a direct participant or as a technical reference group observer of process and content. This would ensure that community concerns are taken into account and are properly addressed by the proponent during the EES process.

On behalf of the Bunyip North community, I urge the minister to direct that a representative of the Bunyip North community be invited to participate in the work of the technical reference group or at the very least be invited onto the TRG as an observer.

Yuroke electorate youth employment

Ms SPENCE (Yuroke) (19:14) — (13 400) My adjournment matter is for the Minister for Industry and Employment, and the action I seek is that the minister visit young people in Yuroke to hear their concerns about employment opportunities and that he inform them of any state government initiatives that can assist in helping them to find work. This issue was raised with me by members of the Yuroke Youth Advisory Council earlier this year. In particular, concerns were raised about difficulties in accessing local employment opportunities, and underemployment, as well as the resulting financial, social and mental health impacts that these issues can contribute to. I know the minister is passionate about these issues and will be a champion of continuing to invest in jobs in the Yuroke electorate. I look forward to hearing from him.

John Curtin Aged Care

Ms STALEY (Ripon) (19:14) — (13 401) My adjournment matter is for the Treasurer. The action I seek is that the Treasurer direct the Department of Treasury and Finance to sell Crown land parcels P101853 and P101854 to John Curtin Aged Care or by public tender as expeditiously as possible. The history of these parcels of land is that they are vacant and John Curtin Aged Care has been trying for some years to buy them. It is happy to buy them at market value.

Until March 2015 John Curtin Aged Care had engaged in ongoing dialogue regarding the purchase of those parcels of land, but in March 2015 there was a meeting between what was then the Department of Environment and Primary Industries, John Curtin Aged Care and the architect, and they were advised that the parcels were going to be sold by the Department of Treasury and Finance (DTF). But nothing has happened since then, and John Curtin Aged Care have been singularly unsuccessful in getting DTF to either bring these parcels to the top of the list for sale or do anything about them.

This has become difficult for John Curtin Aged Care because they have got a master plan and are ready to expand, which will result in the investment in Creswick of over \$30 million, which will create in excess of 50 ongoing jobs. That is what is being held up because they cannot get an answer on the land. As I said, they have had it valued and they are happy to pay the valuation. It is not an issue of them wanting something free or discounted — it is just that they need some action.

The local council has indicated it is willing to amend its zoning to facilitate John Curtin Aged Care's plans. I call upon the Treasurer to prod Treasury into taking some action on these two areas so we can get further aged care into the Creswick region, generate those jobs and have that investment in the region.

St Monica's Primary School, Moonee Ponds

Mr PEARSON (Essendon) (19:17) — (13 402) I direct my adjournment matter to the Minister for Energy, Environment and Climate Change. The action I seek is that the minister join me to meet with students of St Monica's Primary School in Moonee Ponds. St Monica's is well led by Peter Moore, who is the principal, and Michael di Nuzzo, who is the deputy principal. I have received a number of emails from a number of students at the school expressing concerns about the environment, particularly in relation to plastic bags and disposable coffee cups. It would be wonderful if the minister could meet with me and the students to discuss these matters in person.

Responses

Mr CARROLL (Minister for Industry and Employment) (19:18) — I would like to respond to the member for Yuroke and accept her invitation to come out to her electorate. I congratulate the member for giving me my first adjournment matter. It is a fact that our economy is strong but young people are not always seeing the benefits, and it would be an honour to go out and meet with members of her youth advisory council, who I have met in previous years in my capacity as Parliamentary Secretary for Justice. I look forward to going out there and talking about our very successful Jobs Victoria network and other opportunities that may be there for the youth in Yuroke, who are strongly advocated for by the member.

Ms NEVILLE (Minister for Police) (19:18) — A range of matters have been raised by number of members, and I will pass those matters onto the relevant ministers.

The DEPUTY SPEAKER — The house now stands adjourned until tomorrow.

House adjourned 7.17 p.m.

