

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE COUNCIL
FIFTY-FIFTH PARLIAMENT
FIRST SESSION**

**Friday, 17 June 2005
(extract from Book 7)**

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

By authority of the Victorian Government Printer

The Governor

JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

The ministry

Premier and Minister for Multicultural Affairs	The Hon. S. P. Bracks, MP
Deputy Premier, Minister for Environment, Minister for Water and Minister for Victorian Communities	The Hon. J. W. Thwaites, MP
Minister for Finance, Minister for Major Projects and Minister for WorkCover and the TAC	The Hon. J. Lenders, MLC
Minister for Education Services and Minister for Employment and Youth Affairs	The Hon. J. M. Allan, MP
Minister for Transport	The Hon. P. Batchelor, MP
Minister for Local Government and Minister for Housing	The Hon. C. C. Broad, MLC
Treasurer, Minister for Innovation and Minister for State and Regional Development	The Hon. J. M. Brumby, MP
Minister for Agriculture	The Hon. R. G. Cameron, MP
Minister for the Arts and Minister for Women's Affairs	The Hon. M. E. Delahunty, MP
Minister for Community Services and Minister for Children	The Hon. S. M. Garbutt, MP
Minister for Manufacturing and Export, Minister for Financial Services and Minister for Small Business	The Hon. A. Haermeyer, MP
Minister for Police and Emergency Services and Minister for Corrections	The Hon. T. J. Holding, MP
Attorney-General, Minister for Industrial Relations and Minister for Planning	The Hon. R. J. Hulls, MP
Minister for Aged Care and Minister for Aboriginal Affairs	The Hon. Gavin Jennings, MLC
Minister for Education and Training	The Hon. L. J. Kosky, MP
Minister for Sport and Recreation and Minister for Commonwealth Games	The Hon. J. M. Madden, MLC
Minister for Gaming, Minister for Racing, Minister for Tourism and Minister assisting the Premier on Multicultural Affairs	The Hon. J. Pandazopoulos, MP
Minister for Health	The Hon. B. J. Pike, MP
Minister for Energy Industries and Resources	The Hon. T. C. Theophanous, MLC
Minister for Consumer Affairs and Minister for Information and Communication Technology	The Hon. M. R. Thomson, MLC
Cabinet Secretary	Mr R. W. Wynne, MP

Legislative Council committees

Privileges Committee — The Honourables W. R. Baxter, Andrew Brideson, Helen Buckingham and Bill Forwood, Mr Gavin Jennings, Ms Mikakos, the Honourable R. G. Mitchell and Mr Viney.

Standing Orders Committee — The President, the Honourables B. W. Bishop, Philip Davis and Bill Forwood, Mr Lenders, Ms Romanes and Mr Viney.

Joint committees

Drugs and Crime Prevention Committee — (*Council*): The Honourable S. M. Nguyen and Mr Scheffer.
(*Assembly*): Mr Cooper, Ms Marshall, Mr Maxfield, Dr Sykes and Mr Wells.

Economic Development Committee — (*Council*): The Honourables B. N. Atkinson and R. H. Bowden, and Mr Pullen. (*Assembly*): Mr Delahunty, Mr Jenkins, Ms Morand and Mr Robinson.

Education and Training Committee — (*Council*): The Honourables H. E. Buckingham and P. R. Hall.
(*Assembly*): Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

Environment and Natural Resources Committee — (*Council*): The Honourables Andrea Coote, D. K. Drum, J. G. Hilton and W. A. Lovell. (*Assembly*): Ms Duncan, Ms Lindell and Mr Seitz.

Family and Community Development Committee — (*Council*): The Hon. D. McL. Davis and Mr Smith.
(*Assembly*): Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

House Committee — (*Council*): The President (*ex officio*), the Honourables B. N. Atkinson and Andrew Brideson, Ms Hadden and the Honourables J. M. McQuilten and S. M. Nguyen. (*Assembly*): The Speaker (*ex officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

Law Reform Committee — (*Council*): The Honourables Richard Dalla-Riva, Ms Hadden and the Honourables Geoff Hilton and David Koch. (*Assembly*): Ms Beard, Ms Beattie, Mr Hudson, Mr Lupton and Mr Maughan.

Library Committee — (*Council*): The President, Ms Argondizzo and the Honourables Richard Dalla-Riva, Kaye Darveniza and C. A. Strong. (*Assembly*): The Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

Outer Suburban/Interface Services and Development Committee — (*Council*): Ms Argondizzo and Mr Somyurek. (*Assembly*): Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

Public Accounts and Estimates Committee — (*Council*): The Honourables W. R. Baxter, Bill Forwood and G. K. Rich-Phillips, Ms Romanes and Mr Somyurek. (*Assembly*): Ms Campbell, Mr Clark, Ms Green and Mr Merlino.

Road Safety Committee — (*Council*): The Honourables B. W. Bishop, J. H. Eren and E. G. Stoney.
(*Assembly*): Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

Rural and Regional Services and Development Committee — (*Council*): The Honourables J. M. McQuilten and R. G. Mitchell. (*Assembly*): Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

Scrutiny of Acts and Regulations Committee — (*Council*): Ms Argondizzo and the Honourable Andrew Brideson.
(*Assembly*): Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

Parliamentary Services — Secretary: Dr S. O'Kane

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

President: The Hon. M. M. GOULD

Deputy President and Chair of Committees: Ms GLENYYS ROMANES

Temporary Chairs of Committees: The Honourables B. W. Bishop, R. H. Bowden, Andrew Brideson, H. E. Buckingham,
Ms D. G. Hadden, the Honourable J. G. Hilton, Mr R. F. Smith and the Honourable C. A. Strong

Leader of the Government:
Mr JOHN LENDERS

Deputy Leader of the Government:
Mr GAVIN JENNINGS

Leader of the Opposition:
The Hon. PHILIP DAVIS

Deputy Leader of the Opposition:
The Hon. ANDREA COOTE

Leader of The Nationals:
The Hon. P. R. HALL

Deputy Leader of The Nationals:
The Hon. D. K. DRUM

Member	Province	Party	Member	Province	Party
Argondizzo, Ms Lidia	Templestowe	ALP	Jennings, Mr Gavin Wayne	Melbourne	ALP
Atkinson, Hon. Bruce Norman	Koonung	LP	Koch, Hon. David	Western	LP
Baxter, Hon. William Robert	North Eastern	Nats	Lenders, Mr John	Waverley	ALP
Bishop, Hon. Barry Wilfred	North Western	Nats	Lovell, Hon. Wendy Ann	North Eastern	LP
Bowden, Hon. Ronald Henry	South Eastern	LP	McQuilten, Hon. John Martin	Ballarat	ALP
Brideson, Hon. Andrew Ronald	Waverley	LP	Madden, Hon. Justin Mark	Doutta Galla	ALP
Broad, Ms Candy Celeste	Melbourne North	ALP	Mikakos, Ms Jenny	Jika Jika	ALP
Buckingham, Hon. Helen Elizabeth	Koonung	ALP	Mitchell, Hon. Robert George	Central Highlands	ALP
Carbines, Ms Elaine Cafferty	Geelong	ALP	Nguyen, Hon. Sang Minh	Melbourne West	ALP
Coote, Hon. Andrea	Monash	LP	Olexander, Hon. Andrew Phillip	Silvan	LP
Dalla-Riva, Hon. Richard	East Yarra	LP	Pullen, Mr Noel Francis	Higinbotham	ALP
Darveniza, Hon. Kaye	Melbourne West	ALP	Rich-Phillips, Hon. Gordon Kenneth	Eumemmerring	LP
Davis, Hon. David McLean	East Yarra	LP	Romanes, Ms Glenyys Dorothy	Melbourne	ALP
Davis, Hon. Philip Rivers	Gippsland	LP	Scheffer, Mr Johan Emiel	Monash	ALP
Drum, Hon. Damian Kevin	North Western	Nats	Smith, Mr Robert Frederick	Chelsea	ALP
Eren, Hon. John Hamdi	Geelong	ALP	Somyurek, Mr Adem	Eumemmerring	ALP
Forwood, Hon. Bill	Templestowe	LP	Stoney, Hon. Eadley Graeme	Central Highlands	LP
Gould, Hon. Monica Mary	Doutta Galla	ALP	Strong, Hon. Christopher Arthur	Higinbotham	LP
Hadden, Ms Dianne Gladys	Ballarat	Ind	Theophanous, Hon. Theo Charles	Jika Jika	ALP
Hall, Hon. Peter Ronald	Gippsland	Nats	Thomson, Hon. Marsha Rose	Melbourne North	ALP
Hilton, Hon. John Geoffrey	Western Port	ALP	Viney, Mr Matthew Shaw	Chelsea	ALP
Hirsh, Hon. Carolyn Dorothy	Silvan	Ind	Vogels, Hon. John Adrian	Western	LP

CONTENTS

FRIDAY, 17 JUNE 2005

STATE TAXATION ACTS (GENERAL AMENDMENT) BILL <i>Second reading</i> 1575, 1592 <i>Committee</i> 1593 <i>Remaining stages</i> 1598 DISTINGUISHED VISITOR..... 1592 NATIONAL PARKS (ALPINE NATIONAL PARK GRAZING) BILL <i>Second reading</i> 1598 <i>Committee</i> 1606 <i>Third reading</i> 1621 <i>Remaining stages</i> 1621	4812. <i>Housing: Office of Housing — decommissioned properties</i> 1629 4813. <i>Consumer affairs: Business Licensing Authority — advertising and credit card expenditure</i> 1630 4814. <i>Consumer affairs: Coordinating Council on Control of Liquor Abuse — advertising and credit card expenditure</i> 1630 4815. <i>Consumer affairs: Defence Reserves Re-Employment Board — advertising and credit card expenditure</i> 1630 4816. <i>Consumer affairs: Estate Agents Council — advertising and credit card expenditure</i> 1631 4817. <i>Consumer affairs: Motor Car Traders Guarantee Fund Claims Committee — advertising and credit card expenditure</i> 1631 4818. <i>Consumer affairs: Patriotic Funds Council — advertising and credit card expenditure</i> 1631 4819. <i>Consumer affairs: Prostitution Control Act Advisory Committee — advertising and credit card expenditure</i> 1632 4820. <i>Consumer affairs: Residential Tenancies Bond Authority — advertising and credit card expenditure</i> 1632 4821. <i>Consumer affairs: Consumer Affairs Victoria — advertising and credit card expenditure</i> 1633 4834. <i>Aged care: elder abuse project — adult protective services unit</i> 1633 4837. <i>Aged care: elder abuse project — advisory group for the elder abuse prevention project</i> 1633 4838. <i>Aged care: ageing workforce employer education project — government policy</i> 1634 4840. <i>Aged care: ageing workforce employer education project — management</i> 1634 4841. <i>Aged care: ageing workforce employer education project — opposition initiative</i> 1636
--	--

QUESTIONS ON NOTICE

TUESDAY, 14 JUNE 2005

1363. <i>Corrections: Fulham Correctional Centre — education programs</i> 1623 1364. <i>Corrections: Dame Phyllis Frost Centre — education programs</i> 1623 1365. <i>Corrections: Port Phillip Prison — education programs</i> 1624 3299. <i>Police and emergency services: traffic offences — fines</i> 1624 4139. <i>Police and emergency services: Victims of Crime Assistance Tribunal — interstate and overseas travel</i> 1625 4371. <i>Premier: Haystac Public Affairs Pty Ltd — payments</i> 1625 4379. <i>Major projects: Haystac Public Affairs Pty Ltd — payments</i> 1626 4420. <i>Major projects: Shannon’s Way Pty Ltd — payments</i> 1626 4460. <i>Major projects: Social Shift Pty Ltd — payments</i> 1627 4580. <i>Corrections: home detention program</i> 1627 4718. <i>Aboriginal affairs: Aboriginal Affairs Victoria — advertising and credit card expenditure</i> 1628 4732. <i>Commonwealth Games: Melbourne 2006 Commonwealth Games Pty Ltd — advertising and credit card expenditure</i> 1628 4770. <i>Agriculture: Australian Food Industry Science Centre — advertising and credit card expenditure</i> 1628 4771. <i>Agriculture: Melbourne Market Authority — advertising and credit card expenditure</i> 1629 4772. <i>Agriculture: Fisheries Co-Management Council and fisheries committees — advertising and credit card expenditure</i> 1629	4812. <i>Housing: Office of Housing — decommissioned properties</i> 1629 4813. <i>Consumer affairs: Business Licensing Authority — advertising and credit card expenditure</i> 1630 4814. <i>Consumer affairs: Coordinating Council on Control of Liquor Abuse — advertising and credit card expenditure</i> 1630 4815. <i>Consumer affairs: Defence Reserves Re-Employment Board — advertising and credit card expenditure</i> 1630 4816. <i>Consumer affairs: Estate Agents Council — advertising and credit card expenditure</i> 1631 4817. <i>Consumer affairs: Motor Car Traders Guarantee Fund Claims Committee — advertising and credit card expenditure</i> 1631 4818. <i>Consumer affairs: Patriotic Funds Council — advertising and credit card expenditure</i> 1631 4819. <i>Consumer affairs: Prostitution Control Act Advisory Committee — advertising and credit card expenditure</i> 1632 4820. <i>Consumer affairs: Residential Tenancies Bond Authority — advertising and credit card expenditure</i> 1632 4821. <i>Consumer affairs: Consumer Affairs Victoria — advertising and credit card expenditure</i> 1633 4834. <i>Aged care: elder abuse project — adult protective services unit</i> 1633 4837. <i>Aged care: elder abuse project — advisory group for the elder abuse prevention project</i> 1633 4838. <i>Aged care: ageing workforce employer education project — government policy</i> 1634 4840. <i>Aged care: ageing workforce employer education project — management</i> 1634 4841. <i>Aged care: ageing workforce employer education project — opposition initiative</i> 1636 WEDNESDAY, 15 JUNE 2005 3325. <i>WorkCover: ministerial staff — mobile telephone services</i> 1637 4176. <i>Treasurer: CityLink — project cost</i> 1637 4340. <i>Sport and recreation: Melbourne and Olympic Parks Trust — entertainment expenses</i> 1637
--	--

CONTENTS

	THURSDAY, 16 JUNE 2005
4341. Sport and recreation: Melbourne Cricket Ground Trust — entertainment expenses.....	1638
4342. Sport and recreation: Professional Boxing and Combat Sports Board — entertainment expenses.....	1638
4345. Sport and recreation: State Recreation Camps Committee of Management — entertainment expenses.....	1639
4346. Sport and recreation: State Sports Centre Trust — entertainment expenses.....	1639
4581. Corrections: home detention program.....	1639
4582. Corrections: home detention program.....	1640
4583. Corrections: home detention program.....	1640
4584. Corrections: home detention program.....	1641
4585. Corrections: home detention program.....	1641
4586. Corrections: home detention program.....	1642
4602. Environment: Sustainability and Environment — external legal advice.....	1642
4611. Environment: Sustainability and Environment — advertising.....	1643
4620. Environment: Sustainability and Environment — alcohol purchases.....	1643
4630. Environment: Sustainability and Environment — interstate trips.....	1643
4639. Environment: Sustainability and Environment — overseas trips.....	1644
4648. Environment: Sustainability and Environment — stress-related leave.....	1644
4667. Treasurer: budget — land tax.....	1645
4668. Treasurer: budget — land tax.....	1645
4669. Treasurer: budget — land transfer duty.....	1645
4671. Treasurer: land tax — assessments.....	1645
4672. Treasurer: land tax — assessments.....	1646
4739. Attorney-General: Victoria Legal Aid — advertising and credit card expenditure.....	1646
4773. Corrections: Corrections Victoria — advertising and credit card expenditure.....	1646
4774. Corrections: Community Correctional Services — advertising and credit card expenditure.....	1647
4792. Corrections: prisoners — compassionate leave.....	1647
4793. Corrections: prisoners — compassionate leave.....	1648
4852. Treasurer: State Revenue Office — land tax.....	1648
4853. Treasurer: — State Revenue Office — land tax.....	1649
4873. WorkCover: Victorian WorkCover Authority — payments.....	1649
1521. State and regional development: fees and charges.....	1651
1547. Innovation: fees and charges.....	1651
1817. State and regional development: Innovation, Industry and Regional Development — advertising and promotions.....	1651
1875. Innovation: Baker Medical Research Institute — stress-related leave.....	1652
1876. Innovation: Prince Henry's Institute of Medical Research — stress-related leave.....	1652
1887. Corrections: CORE — The Public Correctional Enterprise — stress-related leave.....	1652
1915. Police and emergency services: Country Fire Authority — stress-related leave.....	1653
1918. Police and emergency services: Metropolitan Fire and Emergency Services Board — stress-related leave.....	1653
1921. Police and emergency services: Victoria Police — stress-related leave.....	1654
2117. Innovation: Baker Medical Research Institute — advertising.....	1654
2118. Innovation: Howard Florey Institute of Experimental Physiology and Medicine — advertising.....	1654
2119. Innovation: Prince Henry's Institute of Medical Research — advertising.....	1655
2349. Innovation: Baker Medical Research Institute — media research and public opinion polling.....	1655
2350. Innovation: Howard Florey Institute of Experimental Physiology and Medicine — media research and public opinion polling.....	1656
2351. Innovation: Prince Henry's Institute of Medical Research — media research and public opinion polling.....	1657
2354. Innovation: Baker Medical Research Institute — media research and public opinion polling.....	1657
2579. Innovation: Baker Medical Research Institute — capital works funding.....	1658
2580. Innovation: Howard Florey Institute of Experimental Physiology and Medicine — funding.....	1658
2581. Innovation: Prince Henry's Institute of Medical Research — capital works funding.....	1659
2584. Innovation: Baker Medical Research Institute — capital works funding.....	1659
2814. Innovation: Baker Medical Research Institute — external legal advice.....	1659

CONTENTS

<p>2815. <i>Innovation: Howard Florey Institute of Experimental Physiology and Medicine — external legal advice</i>..... 1660</p> <p>2816. <i>Innovation: Prince Henry’s Institute of Medical Research — external legal advice</i>..... 1660</p> <p>3047. <i>Innovation: Baker Medical Research Institute — office accommodation</i>..... 1660</p> <p>3048. <i>Innovation: Howard Florey Institute of Experimental Physiology and Medicine — office accommodation</i>..... 1661</p> <p>3049. <i>Innovation: Prince Henry’s Institute of Medical Research — office accommodation</i> 1661</p> <p>3052. <i>Innovation: Baker Medical Research Institute — office accommodation</i>..... 1662</p> <p>3089. <i>Police and emergency services: Country Fire Authority — office accommodation</i> 1662</p> <p>3090. <i>Police and emergency services: Country Fire Authority Appeals Commission — office accommodation</i> 1663</p> <p>3092. <i>Police and emergency services: Metropolitan Fire and Emergency Services Appeals Commission — office accommodation</i>..... 1664</p> <p>3093. <i>Police and emergency services: Metropolitan Fire and Emergency Services Board — office accommodation</i> 1664</p> <p>3095. <i>Police and emergency services: Private Agents Registry — office accommodation</i> 1665</p> <p>4117. <i>Innovation: Baker Medical Research Institute — interstate and overseas travel</i>..... 1665</p> <p>4118. <i>Innovation: Howard Florey Institute of Experimental Physiology and Medicine — interstate and overseas travel</i>..... 1666</p> <p>4119. <i>Innovation: Prince Henry’s Institute of Medical Research — interstate and overseas travel</i>..... 1666</p> <p>4202. <i>Innovation: Baker Medical Research Institute — entertainment expenses</i>..... 1667</p> <p>4203. <i>Innovation: Howard Florey Institute of Experimental Physiology — entertainment expenses</i>..... 1667</p> <p>4204. <i>Innovation: Prince Henry’s Institute of Medical Research — entertainment expenses</i> 1668</p> <p>4286. <i>Energy industries: Office of Gas Safety — entertainment expenses</i>..... 1668</p> <p>4287. <i>Energy industries: Office of the Chief Electrical Inspector — entertainment expenses</i>..... 1669</p>	<p>4292. <i>Energy industries: Victorian Energy Networks Corporation — entertainment expenses</i> 1669</p> <p>4600. <i>Health: Human Services — external legal advice</i>..... 1670</p> <p>4601. <i>Victorian communities: Victorian Communities — external legal advice</i>..... 1670</p> <p>4605. <i>Education and training: Education and Training — external legal advice</i> 1670</p> <p>4606. <i>Police and emergency services: Justice — external legal advice</i> 1671</p> <p>4670. <i>Treasurer: budget — land transfer duty</i>... 1671</p> <p>4740. <i>Attorney-General: Municipal Electoral Tribunal — advertising and credit card expenditure</i>..... 1671</p> <p>4741. <i>Attorney-General: Legal Profession Tribunal — advertising and credit card expenditure</i>..... 1671</p> <p>4742. <i>Attorney-General: Office of the Victorian Privacy Commissioner — advertising and credit card expenditure</i> 1672</p> <p>4743. <i>Gaming: Director of Gaming and Betting and Director of Casino Surveillance — advertising and credit card expenditure</i> 1672</p> <p>4744. <i>Gaming: Gambling Research Panel — advertising and credit card expenditure</i>..... 1673</p> <p>4745. <i>Gaming: Victorian Casino and Gaming Authority — advertising and credit card expenditure</i>..... 1673</p> <p>4746. <i>Gaming: Advocate for Responsible Gambling — advertising and credit card expenditure</i>..... 1673</p> <p>4758. <i>Energy industries: Office of Gas Safety — advertising and credit card expenditure</i>..... 1674</p> <p>4761. <i>Energy industries: Office of the Chief Electrical Inspector — advertising and credit card expenditure</i> 1674</p> <p>4762. <i>Agriculture: Agriculture Victoria Services Pty Ltd — advertising and credit card expenditure</i> 1674</p> <p>4763. <i>Agriculture: Murray Valley Citrus Marketing Board — advertising and credit card expenditure</i> 1675</p> <p>4764. <i>Agriculture: Murray Valley Wine and Grape Industry Development Committee — advertising and credit card expenditure</i>..... 1675</p> <p>4765. <i>Agriculture: Northern Victorian Fresh Tomato Industry Development Committee — advertising and credit card expenditure</i>..... 1675</p> <p>4766. <i>Agriculture: Veterinary Practitioners Registration Board of Victoria —</i></p>
--	--

CONTENTS

	<i>advertising and credit card expenditure</i>	1676	4810.	<i>Corrections: Port Phillip Prison — capacity</i>	1683
4767.	<i>Agriculture: Victorian Broiler Industry Negotiation Committee — advertising and credit card expenditure</i>	1676	4833.	<i>Aged care: elder abuse project — government policy</i>	1683
4768.	<i>Agriculture: Victorian Meat Authority — advertising and credit card expenditure</i>	1676	4835.	<i>Aged care: elder abuse project — opposition initiative</i>	1683
4769.	<i>Agriculture: Dairy Food Safety Victoria — advertising and credit card expenditure</i>	1677	4836.	<i>Aged care: elder abuse project — ministerial advisory group of senior Victorians</i>	1684
4778.	<i>Education and training: Adult, Community and Further Education Board — advertising and credit card expenditure</i>	1677	4839.	<i>Aged care: ageing workforce employer education project — government policy</i>	1684
4779.	<i>Education and training: Registered Schools Board — advertising and credit card expenditure</i>	1677	4871.	<i>Attorney-General: Social Shift Pty Ltd — payments</i>	1685
4780.	<i>Education and training: Victorian Curriculum and Assessment Authority — advertising and credit card expenditure</i>	1678	4872.	<i>Police and emergency services: Social Shift Pty Ltd — payments</i>	1685
4781.	<i>Education and training: Victorian Institute of Teaching — advertising and credit card expenditure</i>	1678	4874.	<i>Environment: Norong — tree eradication</i>	1686
4782.	<i>Education and training: Victorian Learning and Employment Skills Commission — advertising and credit card expenditure</i>	1678	4912.	<i>Victorian communities: obesity initiatives — funding</i>	1687
4783.	<i>Education and training: Victorian Qualifications Authority — advertising and credit card expenditure</i>	1679			
4784.	<i>Education and training: Adult Multicultural Education Services Authority — advertising and credit card expenditure</i>	1679			
4785.	<i>Education and training: Council of Adult Education — advertising and credit card expenditure</i>	1679			
4800.	<i>Corrections: HM Prison Barwon — capacity</i>	1680			
4802.	<i>Corrections: HM Prison Bendigo — capacity</i>	1680			
4803.	<i>Corrections: HM Prison Dhurringile — capacity</i>	1680			
4804.	<i>Corrections: HM Prison Langi Kal Kal — capacity</i>	1681			
4805.	<i>Corrections: HM Prison Loddon — capacity</i>	1681			
4806.	<i>Corrections: HM Melbourne Assessment Prison — capacity</i>	1681			
4807.	<i>Corrections: HM Prison Tarrengower — capacity</i>	1682			
4808.	<i>Corrections: Fulham Correctional Centre — capacity</i>	1682			
4809.	<i>Corrections: Dame Phyllis Frost Centre — capacity</i>	1682			

Friday, 17 June 2005

The PRESIDENT (Hon. M. M. Gould) took the chair at 9.32 a.m. and read the prayer.

STATE TAXATION ACTS (GENERAL AMENDMENT) BILL

Second reading

Ordered that second-reading speech be incorporated on motion of Mr LENDERS (Minister for Finance).

Mr LENDERS (Minister for Finance) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

In the state budget handed down on 3 May, the government announced major taxation reform including further land tax relief worth \$823 million over five years. The principal objective of this bill is to make the necessary amendments to the taxation laws to implement these commitments, and a range of other government initiatives.

The bill enacts the government's undertaking provided in the 2003–04 state budget to abolish debits tax from 1 July 2005. This was foreshadowed under the intergovernmental agreement on the reform of commonwealth-state financial relations, and confirmed at the commonwealth-state ministerial council on financial relations on 26 March 2004.

The Land Tax Act 1958 is amended to give effect to the extensive reform package announced in the budget. This includes:

reducing the middle land tax rates that apply to property holdings valued between \$750 000 and \$2.7 million, which will deliver savings of up to 44 per cent;

bringing forward by one year the reduction in the top marginal rate announced in the 2004–05 budget, estimated to benefit over 2300 land tax payers;

increasing the tax-free threshold by \$25 000 to \$200 000, thereby eliminating land tax bills for around 21 000 Victorians;

providing a general land tax rebate for the 2005 land tax year, estimated to approximate \$59 million;

capping the increase in land tax liabilities for the 2006 land tax year; and

providing a full land tax exemption for more than 450 aged care facilities, supported residential services and rooming houses backdated to 1 January 2004.

These reforms will benefit around 44 000 taxpayers who have been impacted by the increased valuations that reflect Victoria's buoyant property market. This targeted relief continues the most significant land tax reform in the state's

history. The changes mean 98 per cent of Victorian businesses will pay less land tax than in any other state.

In addition the bill implements the land tax exemption for private caravan parks announced on 4 December 2004 and backdated to 1 January this year. This exemption, as well as that for aged care facilities, supported residential services and rooming houses will be subjected to a special land tax rate where previously exempt land is no longer used for an exempt purpose. An amendment to remove an anomaly in the refund provisions for unoccupied land subsequently used as a principal place of residence and the adoption of similar administrative provisions for information gathering as those found in the Taxation Administration Act 1997, are also contained in the bill.

It was also announced in the budget that the highly successful additional \$5000 first home bonus for any qualifying first home purchase up to \$500 000 will be extended until the end of this year, and then will be available at the reduced amount of \$3000 until 1 July 2007. The additional grant has been an outstanding success helping over 24 000 Victorians buy their first homes. The take-up rate in regional Victoria has been particularly pleasing. Access to the more limited first home buyer concession in the Duties Act 2000 continues to be suspended while the additional grant is in place.

There are significant changes to the sub-sales provisions of the Duties Act 2000 which have been the subject of extensive consultation with the Law Institute of Victoria and industry players. The fundamental basis of duty is that changes in beneficial ownership in land, however achieved, are subject to conveyance duty. For reasons of equity and revenue protection, it is essential that duties are applied fairly and effectively. An entirely new regime will be introduced by this bill which will ensure that additional duty is only applied when there are multiple dutiable transactions. The previous provisions had given rise to anomalies and reform in this area reflects the government's commitment to working with the taxpayer community. I thank those who have contributed to these proposals and appreciate the genuine recognition given by business and practitioners to the state's role as custodian of revenue.

Another significant measure is the proposal to extend the corporate reconstruction exemption to consolidations as defined under commonwealth law. This too has been the subject of significant industry input. The government acknowledges that changing business practices entail regular review of existing legislative exemptions and this measure is further proof of the government's proactive approach to taxation law reform.

As noted earlier, the bill enacts the abolition of debits tax from 1 July 2005. It further contains provisions in the Duties Act to enact the government's commitment in the budget to abolish business rental duty from 1 January 2007. This highlights the transformation in state taxes where since 1999 Victoria has gone from being the state with the highest number of business taxes to having the equal lowest. The lead-in time for the abolition of rental duty allows commercial hire businesses, especially those which enter into special hiring agreements, plenty of time to adjust their practices.

The bill abolishes, with reasonable transitional provisions, three little used exemptions from duty. These are:

where there is a vesting of land because of a foreclosure of mortgage. The registrar of titles advises that there are about five of these cases a year. The concession is inequitable as the mortgagee obtains the legal and beneficial interest in the land upon a foreclosure order and, in any other situation, a transfer of this interest would be dutiable;

upon a transfer of property (either land or a motor vehicle) to a shareholder if made as the result of a reduction in capital; and

upon a transfer of property (either land or motor vehicle) to a shareholder if made as a result of the voluntary winding up of the company.

In both these latter cases, these provisions are rarely used and are inequitable in the sense that a shareholder does not already, by virtue of ownership of shares, enjoy a beneficial ownership of the property of the company. Therefore a transfer to a shareholder effects a change in both legal and beneficial ownership. Generally, the concessions offered from duty flow from an underlying assumption of an existing beneficial interest. It should also be noted that most other jurisdictions do not offer these concessions and the State Revenue Office believes that there is abuse of the winding-up concession in that the concession itself is the motivation for the voluntary winding up designed to benefit particular shareholders.

The government signalled on 13 April 2005 its intention to close a potential loophole in the land-rich provisions. The bill contains an amendment to clarify the definition of 'land-holder' which has been challenged on a narrow literal meaning. This amendment to clarify the meaning intended by Parliament will have effect from the date of commencement of the current provisions, being 13 May 2004. The change will remove any uncertainty in the market place and will ensure that Victoria's duty laws are fair and equitable.

The law will be changed to reflect industry's understanding of the provisions, will ensure that the tax treatment in this area is equitable across the board and will protect the revenue in the manner that was always intended. The bill contains some additional minor amendments to the land-rich provisions.

The bill amends the Pay-roll Tax Act 1971 to reflect the government's announcement in the Budget to exempt wages paid or payable by school councils from payroll tax. This exemption is to be backdated to 1 July 2004. The amendment is necessary because, due to the discretionary nature of funding provided to school councils, it cannot be clearly anticipated whether or not the payroll tax threshold for individual councils will be breached. Therefore funding allowances cannot be accurately made and councils are occasionally faced with unexpected payroll tax for which they have inadequate funding.

The Taxation Administration Act 1997 contains an amendment that adds the Country Fire Authority and the Metropolitan Fire and Emergency Services Board as 'authorised recipients' of taxpayer information for the purposes of the section 92 secrecy provisions. This follows a request from the Emergency Services Commissioner and is designed to assist these authorities to better target compliance activity for verifying statutory contributions from persons insured with overseas insurers.

The bill further amends section 31 of the TAA which deals with potential reductions in penalty tax in circumstances where a taxpayer has made a voluntary disclosure. This follows the finding in the VCAT matter of Dr Peter Tisdall and the Commissioner of State Revenue where the tribunal allowed a reduction in penalty contrary to the practice of the State Revenue Office. The proposal is to clarify the operation of this section to the 'voluntary' provision of information specifically noting that providing information in response to an assessment by the SRO does not attract a reduction in penalty.

There are two more technical amendments easing the manner in which the market rate of interest can be set (section 25(1)(a), (2) and (3)), and how foreign currency and interest rates are valued (section 119). The amendment to market rate of interest is also made to the Taxation (Interest on Overpayments) Act 1986. Certain legislative terms are now obsolete and need to be replaced. This will also lead to greater uniformity between federal and other jurisdictional provisions.

The proposed amendments to the Business Franchise (Petroleum Products) Act 1979 will implement the 2005-06 budget measure to establish a transparent link between revenue from traffic cameras and speeding fines and the government's expenditure on roads, road safety and road maintenance programs.

From 1 July 2005, revenue from speed cameras, red light cameras and other speeding fines will be directed to improving and maintaining Victoria's road system through the Better Roads Victoria trust account.

The Business Franchise (Petroleum Products) Act 1979 established the Better Roads Victoria trust account. Section 13(3) of the act currently enables the trust to be expended for the construction and maintenance of roads. The bill amends the act to allow the trust to be spent on a wider range of road improvement initiatives, including road safety programs.

The changes reflect the government's commitment to a taxation system that is fair and equitable.

I commend the bill to the house.

Hon. BILL FORWOOD (Templestowe) — In our wish to accommodate the government we will of course immediately commence to debate this piece of legislation, just to show what good fellows we all are.

This is the annual round of state taxation legislation which comes after the budget has been introduced and which puts into effect the matters announced in the budget and previously — and other matters that were not announced in the budget which the government always tries to sneak through. We call those 'the nasties'. I say at the outset that I am very pleased that today I will be assisted by the speaking notes from the Labor Party which have appeared in my box overnight. I am very grateful for the fact that somebody has seen fit to help me with my speech — which I can do without the Labor Party's speaking notes, but I have them, and that is always very useful, I know.

An honourable member — I've got mine, so it wasn't me.

Hon. BILL FORWOOD — I do not know who gave them to me, but it is nice to have them anyway. It does seem to be some sort of pattern.

The State Taxation Acts (General Amendment) Bill makes amendments relating to the purposes for which money paid to the Better Roads Victoria Trust Fund can be spent. It removes the debits tax from 1 July. It excludes livestock from business goods in relation to interdependent sales. It provides a new basis for applying duty to sub-sales of property. It repeals duty exemptions for transfers arising from reductions of capital, company wind-ups and foreclosures of mortgage. It phases out the first home owners grant by 1 July 2007.

The bill alters the land-rich and corporate restructuring duty provisions. It removes hire of goods duty from January 2007. It alters the scale of land tax and provides a rebate for 2005 and a cap for 2006. It exempts caravan parks, residential care facilities, supported residential services and rooming houses from land tax and changes the refund provisions for the land tax principal place of residence exemption. It applies to land tax the Taxation Administration Act information provision powers, which is unexceptional.

The bill will exempt from payroll tax wages paid by school councils, and that of course is backdated as well. It reduces the penalty tax following voluntary disclosures of information, although that is an interesting one in itself and we will deal with that when we deal with clause 13, which is an outrageous attempt by this government to retrospectively slug a company who came forward to the State Revenue Office with information about a transaction. The bill makes some alterations to the determination of interest rates and foreign currency valuations.

There are substantial issues in these various matters. Let me start with the Business Franchise (Petroleum Products) Act. The Labor Party speaking notes say in relation to this that:

An amendment is made to establish a transparent link between revenue from speed cameras, red light cameras and other speeding fines and government's expenditure on roads, road safety and road maintenance programs. —

Mr Somyurek — Bill, what am I going to say?

Hon. BILL FORWOOD — I do not know what you are going to say; this is my speech!

This amendment is deemed to have come into operation on 1 July 2005 as was specified in the budget of May 2005.

I just want to say to honourable members that we intend to take this bill into committee, particularly because we intend to move for the deletion of clause 11, which we have considerable difficulties with. When we are in committee we will be inviting the minister at the table to explain to the house how this is actually going to work. We have had a look at the Better Roads Victoria fund, and we have been back to the act, and we would like to know what the word 'hypothecate' means when the government announced that it was intending to hypothecate the funds. The Minister for Transport said every dollar collected from speeding and red light camera fines will be injected back into road funding and road safety initiatives. Does that mean this will be new money?

Hon. W. R. Baxter — No.

Hon. BILL FORWOOD — Or does it mean that the government will be reducing the contribution from the consolidated fund that used to go to Better Roads Victoria? Mr Baxter, a previous minister for roads, and an outstanding minister for roads in this state, has said, 'No', and I must tell you I agree with him, but we will be looking for the minister to define how this is actually going to work. Other people have already pointed out that if we are going to fund our road improvements on the basis of speeding fines, we better hope that Victorians do not get too good at driving, because if they do there will be a severe diminution in the funds going into the Better Roads Victoria fund, and therefore the funds for road safety will not be available.

I rather suspect this is one of the government's spins. This government knew it was taking a hit on the issue of speed cameras, red light cameras and the fact that this is not about road safety. The people of Victoria now know that this is a revenue-raising issue, and the government thought, 'Well, how do we get over our problem in relation to this?' I will tell you: 'We will say that any money raised goes into the Better Roads Victoria fund'. That is all I intend to say on that matter now, because far be it from me to foreshadow that The Nationals may wish to comment on this matter — —

Mr Lenders — You haven't been colluding with The Nationals again, have you? Is the coalition still alive?

Hon. W. R. Baxter — We did have a discussion at breakfast.

Hon. BILL FORWOOD — We did. Mr Baxter and I had a discussion at breakfast, and so I do not need to

take that matter any further. I look forward to the opportunity of — should I say — tearing the wings off flies during the committee stage.

Let me move from there to the issue of land tax. The people of Victoria know that land tax has been one of the all-time great windfalls that this government has had, and despite the rhetoric that we hear from the government about what a good job it is doing in lowering land tax rates, what we all know is that land tax has gone up and up and up. The government can bleat all it likes about the fact that it is lowering land tax. However, there has been a massive increase in property values over time, and this has far outweighed the reduction, if you could call it that, in the rates that are being applied — or the modifications this government has brought in.

I seek leave to table in the house and have incorporated into *Hansard* a chart prepared by the Liberal Party which goes to Labor's land tax changes.

Leave granted; see table page 1622.

Hon. BILL FORWOOD — I am happy to distribute this chart to anyone who wants it. I should make the point at the outset that the above table shows changes to land tax for properties that have had increases in valuation of 20 per cent per annum between 2004 and 2006. We know that according to the Valuer-General's official land tax indexation factors for 2005, 49 out of 80 municipal areas across Victoria have had an average valuation increase of 20 per cent or more, amounting to a 44 per cent or greater increase over the over the two years. We know of course that valuations for 2004 land tax are based on land values as of 1 January 2002. Valuations for land tax in 2006 are based on land values at 1 January 2004 but for 2005, land tax valuations are determined by multiplying the 2002 valuation by the official indexation factor for the municipality in which the property is based. As honourable members in this place know, we are committed to scrapping this harebrained scheme which is grossly unfair.

If you look at the chart that has been prepared you will see that the value year on year going up leads to, for the lower end of the scale, a massive increase of 110.4 per cent tax change. For the lower end of the spectrum the tax on a property valued at just under \$700 000 goes from \$1749 to \$3680. In the just over \$1 million category it goes from \$6959 to \$10 230, and the tax on a property valued at over \$3 million goes from approximately \$93 000 to approximately \$116 000. The government cannot come in here with its mealy-mouthed words and tell us that it is reducing the

burden of land tax on small businesses, that it is reducing the burden of land tax on self-funded retirees, because it is not. No matter what it says, when these particular taxpayers get their bill next year, they will pay more. This government is all about sleight of hand. These people will pay more.

Mr Hilton is an educated man. He is an accountant by profession. He knows about these things, and what he knows is that because of the increase in the value of land you can marginally change the rate but the bills still go up. What we know — and we had the Treasurer confirm this when he appeared before the Public Accounts and Estimates Committee — is that because of the increase in the value of land, which he accepted as being over 40 per cent, there will be massive increases for most land tax payers in the year ahead. It is pure spin to say that they are making these changes. The changes that this government so roundly lauded when it was forced to bring the changes in were in fact measures against what the taxes might have been if it had not made the changes, as opposed to what they actually were. People need to understand the sleights of hand that this government will use in order to confuse people or to get them to accept, somehow or other, that it is making legitimate amendments to these sorts of issues.

It is shocking that it can behave in such a manner. It really is beyond the pale that it will continue to behave in such a way. We reject out of hand this notion that this government is being kind to land tax payers, because it is of course doing no such thing. I should just check and see what the cheat sheet says about land tax. I bet it says something about 'we are reducing it'. It says, 'a range of measures to provide land tax relief'.

We accept that there are exemptions for residential care facilities, supported residential services, private caravan parks and rooming houses, and so there should be. I am quite happy to say if it had not been for the vigorous work of the shadow minister for aged care, who put real pressure on her colleague the Minister for Aged Care — —

Hon. Andrea Coote — And he did listen!

Hon. BILL FORWOOD — He did listen, and then put pressure on the Treasury. We shamed the government into introducing the exemptions for residential care, supported residential services, private caravan parks and rooming houses, because we know that this money-hungry government will rip taxpayers off in any way, shape or form that it possibly can, and if it was not for us and our eagle eye on the dreadful

deeds of this government, heaven knows what sort of a state the state would be in.

We are pleased to see that. That is important, and we accept it is useful. There has also been an amendment to the principal place of residence exemption. This again came about as the result of vigorous action on the part of the member for Brighton in the other place, who raised a particular concern. It was the member for Brighton's activities that led the government to acknowledge that there was another anomaly. The government has at least acted, and I might say quite speedily, to resolve that particular issue. Again, that is useful. I should say that we on this side of the house do not oppose the bill. We think the government has a right to implement the tax measures it wishes to implement.

Mr Lenders interjected.

Hon. BILL FORWOOD — Bits of it I support, bits of it I do not oppose and some of it I oppose outright. Because of that we will be going into committee and we will certainly be voting against clause 11. If I am feeling bolshie at the time, I might even vote against clause 13, which is an outrageous retrospective provision. I will get to it later, but too often this government brings legislation in here that has a retrospective effect. On the Steve Casement matter — the accident compensation issue raised last night in relation to people who made claims — we took away Mr Casement's rights in the Supreme Court. What we are doing to Grocon in this case is absolutely a scandal. I cannot believe members of the Labor Party will accept that this is sound commercial behaviour. I will deal with that in a moment.

As I said, some of this stuff we support, obviously, some we do not oppose and some we do oppose, but we will not vote against the bill. The cheat sheet then talks about the bill containing specific measures to reduce the middle land tax rates. What we know is that the Treasurer cannot get this right — he gets confused about these issues. If honourable members want to know how confused, I suggest they compare what he said to the Public Accounts and Estimates Committee under questioning from the member for Box Hill in another place, Mr Clark, and me with what is reported in *Hansard* two days ago, where he got himself into some difficulty.

In the Public Accounts and Estimates Committee hearing the Treasurer purported to have some accurate information supplied to him by the State Revenue Office which Mr Clark took no time at all in demolishing completely. It was factually wrong and did

not add up. This is very odd, but what was more concerning to me at the time was that during the course of the conversation the Treasurer decided to assert that, if people's income went up, of course they should pay more tax, and he did so on more than one occasion. As I have said in this place before, and I make the point again today: tell me how your income goes up if the value of your land changes? For example, I am sitting on a block of land — —

Mr Lenders — It is public land, this one?

Hon. BILL FORWOOD — No, I am just sitting on a block of land. I am not earning income from it, it is just a piece of land.

The PRESIDENT — Order! Mr Forwood is being facetious.

Hon. BILL FORWOOD — No, I am not being facetious. I am horrified that the Treasurer of this state does not know the difference between income and assets. He kept saying, 'They should pay more because their income has gone up'. No, the value of their land has gone up. There is not necessarily a connection between the two. We now find ourselves in this bizarre situation where there is absolute confusion in relation to those issues dealing with land tax. We have the plan to fix it. We will get rid of the bizarre capacity to index that comes in the middle year between the valuations. We will give people the right to object at the time they should rather than force them to wait.

Mr Lenders — You have changed your mind since 1997?

Hon. BILL FORWOOD — I am telling you what we will do to fix the mess that the government has made of land tax. I go back to the point: this government does not care about anything other than raising revenue, and that is what this is about.

Let me turn to another issue. The cheat sheet that I have from the Labor Party says about stamp duty, and I quote:

We inherited the rates of stamp duty from the previous government.

Hon. T. C. Theophanous — Every time I come in here you are speaking.

Hon. BILL FORWOOD — I cannot help it!

Mr Lenders — He has a lot to say, Theo!

Hon. Andrea Coote — We are making the most of him before he goes.

Mr Lenders — He has run out of things to say; he is reading from a Labor Party document.

Hon. BILL FORWOOD — I have the Labor Party cheat sheet. Let me start again:

We inherited the rates of stamp duty from the previous government.

Then it says in bold:

We have not increased the rate.

Mr Lenders — Yes.

Hon. BILL FORWOOD — ‘Yes,’ we get from the minister. I agree with that, but let me tell you what has happened. In the time since the last government up until now, the take the government has received has gone from \$1 billion to over \$2 billion and the rate has not changed. How can that be? It must be because the value of land goes up. There are two sides to this equation, you dodos! One is the rate and the other of course is the value of land. This is very like the federal Treasurer saying, ‘I have not changed the income tax rates since 1996’. Wages go up and if he does not change the rates, he just gets more and more money. Obviously this is what has happened. This government says it is doing everybody a favour and it provides the cheat sheet which says it has not changed the rate. You do not need to change the rate when the other side of the equation is leading to such a massive windfall gain.

Mr Pullen — Why don’t you talk about the first home owners grant?

Hon. BILL FORWOOD — I thank Mr Pullen. He asked me to talk about the first home owners grant, so let me make a few comments about that. The first comment I will make is that there was a first home owners grant of \$7000 instituted by the federal government. In the interests of administrative efficiency the federal government decided it would give the money to the states for the states to distribute. Guess what? That is not federal government money anymore; no, that is the state’s money. So the state has taken credit for the federal government’s \$7000 grant.

Mr Pullen — Why not?

Hon. BILL FORWOOD — It is not yours, Mr Pullen!

Mr Pullen — We are dishing it out!

Hon. BILL FORWOOD — ‘We are dishing it out!’ You are shameless! It does not matter where it comes from!

That is the first bit. Then the government decided it would bring in the bonus. Through this legislation it is changing the bonus, and it is being phased out on 1 January 2007. We think it is a good idea. The reason that it came in was that there was some genuine concern by one or two of the more soft-hearted people in the government that — —

An honourable member — Name them!

Hon. BILL FORWOOD — That would be telling. There was a difficulty for people in relation to paying the stamp duty on their homes. What is really apparent is that despite the first home owners grant, home owners are being slugged absolutely by the massive increases in stamp duty. Let me just make a few comments about this. Stamp duty on the typical Melbourne home is more than 80 per cent higher now than when the government came to office. Despite the first home owners grant a Victorian first home buyer still pays, even after you allow for the \$5000 first home buyers grant that will run through to June next year, \$11 660 on a \$350 000 Victorian home. This is allowing for it!. That is \$11 660 stamp duty compared with \$4500 in Queensland. Guess how much in New South Wales? Absolutely zero.

On top of that, given the Victorian Treasurer’s repeated boasts about mortgage duty in Victoria, no mortgage duty is payable on a transaction like that in New South Wales. The mortgage duty in Queensland would be \$400. If you apply a similar exercise to a \$250 000 home, Victorian first home buyers will still be paying \$5660. First home buyers in New South and Wales and Queensland pay nothing in stamp duty on a \$250 000 home. So the first home owners grant gives back to Victorians barely \$1 in \$10 of the extra stamp duty the Bracks government has imposed since it came to office. The government should either continue the grant or provide an across-the-board stamp duty relief. It is not just me that is saying this, because I have received correspondence from the Master Builders Association. It said:

Master Builders Association of Victoria supports the additional first home buyers grant ... as a key measure in keeping the affordability of Victoria’s housing stock within the reach of first home buyers.

The grant is to be reduced to \$3000 in 2006 and then be eliminated by 2007. On face value, while disappointing, the building industry recognises the reduction and eventual abolition of the grant was inevitable.

It went on to say:

The original \$7000 home owner grant —
the commonwealth’s money —

will continue ...

The master builders association then said that the association:

... calls for a reduction in residential conveyancing stamp duty to offset the elimination of the home buyer bonus, since the grant was partially introduced as a mechanism to offset the increasing levels of property taxation that are hindering individuals' ability to enter the home ownership market. MBAV has lobbied over a number of years for substantial changes to stamp duty, which is estimated to raise \$2.24 billion in 2004-05 and fall to over \$2.08 billion ... which we believe is conservative.

Now that the home owners grant is to be phased out, we ask why stamp duty has not also been reduced. Permanent reductions in stamp duty rates ought to be a priority for the government over the next 18 months.

Today we are not looking for the government to quote from the cheat sheet and tell us the rate that we brought in has not changed. We are looking for the government to accept that there are two sides to this equation and if you apply the rate to an increasing value, you will always get more money.

Let me turn to the claim in the cheat sheet about the summary of the Bracks government's record on tax. This is the part of the cheat sheet which talks about the various taxes that have been cut. The ones that are in this bill are, of course, on this list. In regard to the bank accounts debit tax the box beside the comment 'To be abolished 1/7/2005' — which is in a fortnight — is ticked. Of course it is! It is a part of the intergovernmental agreement on the GST. I agree that this is a tax that is being abolished by the state government, but I want people in this place to understand — —

Mr Somyurek — The cheat sheet is honest. It says that.

Hon. BILL FORWOOD — Not on my bit it does not! It says:

Here are some notes that may be useful for the debate.

Summary of the Bracks government record on tax.

... the Bracks government has announced tax cuts ...

It says that the bank accounts debit tax is to be abolished, but it does not say 'funded by the federal government under the agreement from the GST'. It goes on to say that business rental duty is to be abolished on 1 January 2007, but it does not make the point that that is also being funded by the federal government. In regard to the stamp duty that I have dealt with, there is a tick against the comment 'Rates unchanged'. Really? Labor members would do

anything to hoodwink people. I will tell you who they are hoodwinking: they are not hoodwinking us, they are hoodwinking Labor members. These little parrots get up and say, 'We have been told to say this' and away they go, parroting out the information they have been given.

Hon. Andrew Brideson — The dumbing down of the backbench.

Hon. BILL FORWOOD — They cannot make their own speeches. They are told, 'We will give you something to say just in case — —

Hon. Andrew Brideson — If it can be made any dumber.

Hon. BILL FORWOOD — I pick up the interjection. The dumbing down of an already very dumb backbench. I look forward to the contributions to debate we will get later today.

I turn to some changes to the duties tax regime. This is interesting. I have a letter from the Law Institute of Victoria (LIV). It is important that I read this letter into *Hansard* and get it on the record. It draws into stark contrast the behaviour of this government on different issues. It is to the Treasurer from John Cain, the chief executive officer of the institute. It says:

The State Taxation Acts (General Amendment) Bill proposes amongst other things to repeal sections 49 and 50 of the Duties Act 2000. These provisions currently allow an exemption from stamp duty on a transfer of dutiable property from a company to a shareholder arising from a reduction in capital (section 49) or from a winding-up (section 50).

The Law Institute of Victoria (LIV) strongly opposes the abolition of these exemptions. There has been no convincing reason provided by the government or the State Revenue Office for the abolition.

When we get into committee we will be inviting the minister to provide us with what he thinks the reasons are. The next sentence is salutary:

The LIV notes that there has been a useful consultation between the State Revenue Office and the LIV in this respect of the subsale provisions and corporate reconstruction provisions of the bill.

If you turn to the cheat sheet, you are informed — —

Hon. Andrew Brideson — There is another one?

Hon. BILL FORWOOD — No, I only have two. This is quoting from page 1 of the cheat sheet. It says:

These proposals present a major improvement over the current provisions, which have been widely criticised by the legal profession. They are significantly more liberal in their

effect than those in other jurisdictions and have been the subject of detailed consultation with the LIV which has commented extensively on draft provisions.

The cheat sheet says that on those clauses there has been extensive consultation with the LIV. What you discover in relation to the other two is that:

The LIV considers that the consultation has been beneficial to the legislation produced.

The institute agrees. The SRO consulted, and it agreed on a way of improving those matters. But this letter then says:

The proposed repeal of sections 49 and 50 has not been the subject of consultation and comment and has come as a surprise to the LIV.

Why is that? Why is the government so selective about matters like this? Why is the SRO prepared to go to the LIV and discuss matters in some detail to make better legislation on some aspects but not on others? That is another question we will be putting to the minister during the committee stage. It then goes on to adumbrate the reasons it opposes the abolition of the exemption. The abolition effectively constitutes — guess what? — a new, unannounced tax. Do not come in here with your cheat sheets and give me the list of taxes you have abolished or reduced. Why do you not come in here honestly and tell us what the taxes and charges are that you have increased?

I have a list here. Let me tell the house — it increased: the gaming machine levy in 2000, 2001 and 2005 to earn an extra \$91 million a year; payroll tax on fringe benefits eligible termination payments, \$94 million a year; payroll tax on apprentices and trainees, \$60 million a year; extensions to stamp duty on land-holding bodies, \$60 million a year; payroll tax on employment agencies, \$20 million; the water tax, \$60 million; the parking tax, \$34 million. What about the increases to motor vehicle registration of \$69 million? What about the drivers licence increases of \$5 million? What about the indexation of other fees and fines — which the government will not even provide a list of because there are so many — which brings in at least \$30 million a year? What about halving the pensioner registration concession? That is another \$68 million a year. Of course there is also the metropolitan improvement charge increase of \$7 million.

Its cheat sheet might give some areas where it has made some changes, but I have another list. My list says that it is putting up taxes as hard as it can go. As the Law Institute of Victoria rightly points out, in the legislation before the house today there are changes to the tax

regime that were unannounced. What sort of a government changes the tax rules without telling people what it is doing? This government does. Why? Because it is so money hungry. There are other reasons apart from the fact that this constitutes a new unannounced tax. The exemptions have been available under Victorian stamp duty legislation — for over 60 years in the case of share transfers when there was a duty on them and always in the case of land. The institute's letter goes on to give the reasons why this happens. The letter also says:

The current exemptions contain robust anti-avoidance mechanisms.

If you have robust anti-avoidance mechanisms in place, you do not need to abolish the tax. It goes on to say:

The commissioner has issued two public rulings dealing with his interpretation of these anti-avoidance mechanisms in sections 49 and 50. These rulings prescribe robust integrity measures to ensure that the exemptions are not abused.

I would like to see some evidence that they have been abused, and we will be asking the minister in the committee stage to give us that evidence. If the government wants to abolish the exemptions, it should justify wanting to do that instead of bringing in sneaky taxes like this. I could go on with this, but I will not. All I will say is that we think it is abhorrent to the fair operation of the tax system that the government should try to sneak taxes through without announcement. We really find that to be abhorrent.

Now I need to turn to the issue of retrospectivity in relation to Grocon. I refer honourable members to the most recent *Alert Digest* and the committee's comments on the State Taxation Acts (General Amendment) Bill. In the box on page 31 it says about retrospective provisions:

The committee notes the retrospective provisions in the bill (other than clause 13) provide certain exemptions from liability to pay duty or tax and are therefore of a beneficial nature to taxpayers.

In respect of the retrospective application of clause 13 which deletes certain words in section 71 of the Duties Act 2000, the committee is of the opinion that the amendment corrects a drafting error and is retrospective to the commencement of the original section as substituted on 13 May 2004 ...

Let us get the sequence right. The government changed this on 13 May last year, and just as we were fixing up the mistakes made in November with the accident compensation bill two weeks ago, this is an attempt to fix up a mistake that was made in May last year. The committee's report goes on to say:

The committee will seek further advice from the Treasurer whether any person may be adversely affected by the

retrospective operation of clause 13 amending section 71(1) of the Duties Act 2000.

I am in receipt of a copy of the letter written by Mallesons Stephen Jaques which is appended to the back of this *Alert Digest*. It is important that honourable members understand what is happening in this case.

The Queen Victoria development commercial structure was between Grocon and ING, and over an extended period Grocon and ING conducted discussions to explore the possibility of ING selling to the Bruno Grollo family entity. They commenced this transaction on New Year's Eve and New Year's Day last year. On 12 January the matter was voluntarily brought to the attention of the State Revenue Office, and it was asserted that the parties did not believe any stamp duty had been incurred in relation to the transaction. They were acting according to the law at the time. They had developed a flexible structure. Paragraph 2.7 states:

The fact that the State Revenue Office has lobbied for retrospective legislation suggests quite strongly that the State Revenue Office does not believe that the transaction is subject to stamp duty under the current Duties Act 2000.

In other words, the only reason this is here is that the SRO does not think it has the capacity to levy duty on this particular transaction. It goes on to say:

Indeed, an opinion received by our clients prior to completion of the transaction from Alan Myers, QC, supports the proposition that no duty is payable.

They read the law, they did the transaction and they told the SRO. Then the SRO decided, 'We cannot do this; we will backdate to last year and thereby capture them', and that is why this clause is in the bill today. I find this sort of stuff very difficult to stomach. It goes on to say:

The proposed amendments to the Duties Act will materially alter the legal analysis of the transaction with the result that stamp duty may be payable by Grocon and its associated entities.

Accordingly, the amending bill trespasses unduly upon the rights of the parties to the transaction.

It goes on:

In determining the transaction and development structure, our clients construed the legislation in an objective way. Our clients determined that the transaction would not attract duty and proceeded on that basis.

It is clear that the genesis of the amending bill —

the clause here —

is the transaction referred to ...

This is specific. It says:

This leaves our clients in a particularly vulnerable position.

The retrospective aspect of the bill takes away the freedom of our clients to have chosen not to have done the transaction at all.

They had a choice of not proceeding with this transaction on the basis of the information in front of them. On the basis of the information in front of them they made a commercial decision, and now this government is moving the goalposts. It is saying, 'We are going backwards'.

There was some real argy-bargy in the other place, when the Treasurer got caught reading from legal advice, was asked to table it, and then tabled a doctored document instead. Honourable members can read the transcript of his personal explanation made yesterday. But this is the sort of shoddy behaviour that this government is now engaged in.

Let me read to members the very few words that the Treasurer was forced to put into Parliament. He said that:

In the opinion of senior counsel any party which arranged transactions on the assumption that the literal language of section 74(1) would govern did so at its own risk.

What sort of a government will not allow people to read an act and apply a literal transaction? What sort of government would accept advice from a senior counsel which says that if you read the act and apply a literal reading, you do it at your own risk? What sort of government behaves in this way? This is bizarre in the extreme. Every single day members in here read the acts and look at the words, work out what the words say, and then proceed on that basis.

Hon. W. R. Baxter — What do we need to do instead of that?

Hon. BILL FORWOOD — I have absolutely no idea, Mr Baxter, what you are meant to do instead of that. I cannot believe that the government would behave in this way. Let me summarise: this transaction was done to the letter of the law. It was brought to the attention of the State Revenue Office by the parties to the transaction. The clause in the bill is a deliberate attempt by the government to capture a transaction that was not otherwise captured. What else are you going to do? What sort of behaviour is this?

I put on record that while we will not be opposing this because it is a taxation bill, we are very uncomfortable with a number of aspects of it, and we look forward to having a crack at it in the committee stage. As I have

outlined, for the reasons given in the Law Institute of Victoria's letter we will be opposing clause 11 in the committee stage, and we will be seeking detailed information from the Minister for Finance at that time. Finally, I should finish by saying thank you very much to whoever is providing me with the Labor Party speaking notes. Don't stop!

Hon. W. R. BAXTER (North Eastern) — This bill has some welcome provisions, there is no doubt about that, but as we have come to expect from this devious government, wrapped up among those welcome provisions are a number of nasties, some of which Mr Forwood has dealt with in a very sound fashion in the last few minutes. I intend to go through those detrimental provisions as well.

Turning to the more positive ones, the first is the abolition of the bank account debits tax. It is a bit rich for the government to be claiming credit for this and for the cheat sheet to be informing the backbenchers that they can go out and sing from the rooftops that it is a marvellous initiative of this government, when it is all part of the GST agreement that was signed and sealed some time ago.

I suppose the only credit that could be given to the Victorian government in this respect is that at least it is acting and abiding by that agreement and abolishing it by 1 July as agreed, whereas some Labor governments in other states are dragging the chain and perhaps renegeing altogether. Nevertheless it is a welcome flow-on from the introduction of the GST. It was an iniquitous tax, it fell inequitably, and I think it affected lower income persons more than it perhaps affected those who are better off in the community in that it often incurred a debt for people who have a lot of small transactions, who are perhaps, for whatever reason, unable to arrange their affairs to minimise the number of transactions, and they were the ones who paid a disproportionate part of their income in this tax. It is therefore very good to see it going.

I, and I am sure thousands of other people, rearranged their affairs so that they used credit cards a lot more, they amalgamated payments, they removed the cheque facility from a particular bank account and they used automatic teller machines, direct debits, direct credits and so on, so that on their principal bank account they incurred no bank account debits (BAD) tax at all, because it did not have the cheque facility. Regrettably some people do not seem skilled enough to organise their affairs in that way and they are the ones who paid the heavy penalty whilst this tax was in existence. It has gone the way of the financial institutions duty (FID), and that is very welcome. Whilst talking about these

sorts of taxes, it is high time to look at conveyancing duty.

Mr Forwood has alluded to the fact that the cheat sheet says the government backbenchers can claim credit for the fact that conveyancing duty scales have not been altered since this government came to office. How true that is! But why not be a bit more honest and tell the people about the massive increase in collections it has received from stamp duty receipts on property transfers? It is phenomenal, and it is what is propping up the budget. If there were a housing downturn this government would find itself in dire straits indeed.

It is interesting to compare Victorian stamp duty imposts with other states. I received an email from a constituent in response to a town meeting The Nationals conducted in Yackandandah on 6 June. This person was expressing regret that they were not able to attend our meeting but they wanted to draw The Nationals' attention to an anomaly, as they referred to it, that applies if you live along the border. Of course it applies everywhere, not just along the border. It says:

Victorian stamp duty on the purchase of a home for a price of \$300 000 is \$13 660, whereas NSW stamp duty on a house with the same price is only \$8990.

Hon. D. K. Drum — Five thousand dollars cheaper!

Hon. W. R. BAXTER — Yes, Mr Drum. That is a massive difference. The email goes on to say:

The difference is significant and merely augments one's anger at the high rate of both Victorian and NSW stamp duty, particularly for people such as us (both in our 70s) when moving house is influenced heavily by our age and health.

I understand this couple's concern. They have clearly relocated because of their age and health to be near adequate medical care and the like and they find themselves, because they chose for those reasons to live on the Victorian side of the border, hit by this impost that is so much higher than that in New South Wales. The email goes on:

We understood that the states would reduce or eliminate stamp duties when the GST was introduced. Have we been misled by our so-called representatives yet again?

They have asked a pretty good question, because it was the indication that once we got the GST we would have some of the more minor stamp duties eliminated and the major ones like stamp duty would be moderated. We have seen absolutely no moderation at all in Victoria and — —

Mr Lenders interjected.

Hon. W. R. BAXTER — I am not sure I caught that interjection from the Leader of the Government, but I think he was saying that the goalposts were shifted.

Mr Lenders — When food was taken out of the GST.

Hon. W. R. BAXTER — That is right, Mr Lenders. There was some change in that because of the Democrats' actions in the Senate, which we all regret. But that is not an excuse for doing nothing, nor is it an excuse when it is taken into account that GST receipts are in fact rolling along at a much higher level than was anticipated when the agreement was made.

Of course stamp duty sometimes catches people unawares, and they are usually the lower-income people in our community. I have a case, for example, of a single mother at Wandiligong who bought a home and after she had arranged her finances for the house received a stamp duty bill of thousands of dollars which she was not expecting. You might say she should have been better informed; perhaps she should have been. She certainly should have been better advised. But it is hardly her fault that having made those provisions she then had placed on her a quite unexpected levy of a very substantial amount. It is just another indication of how stamp duties can impose a great deal of hardship on some people in our community.

The bill extends the first home buyers grant. That is encouraging and appreciated. It is a pity, though, that as from the end of this year it will be reduced from \$5000 to \$3000 and will go out of existence in the year 2007, because it has been of some assistance to first home buyers in this very expensive housing market that we have, particularly in metropolitan Melbourne, to enable them to actually get their foot on the rung of owning an asset. That is to be encouraged because once people buy a home it makes them much more disciplined in budgeting and it really sets them on a much more stable path in their life's finances. Anything that can encourage young people to make the move into property ownership is to be applauded.

The bill then goes on to the very vexed question of land tax. Here again we have had the cheat sheet given to —

Mr Somyurek interjected.

Hon. W. R. BAXTER — Yes, Mr Somyurek, the cheat sheet has wide circulation. It really is a disgrace, you know, that government backbenchers are fed this sort of information. I do not resist ministers providing their troops with some debating points and speaking notes — that is entirely appropriate — but I do object

strongly when government backbenchers are given material that is misleading and on some occasions perhaps downright untrue. That can put them in an invidious position if they use it in good faith and are caught out on the public platform. Government backbenchers ought to be given the facts and they ought to be able then to make their decisions as to how they use the material. If they misuse it and get caught out, well it is on their heads. But when they are caught out because they have been given misleading information in the first place, I do have some sympathy for them.

We have seen the land tax situation develop to the point where the government has been shamed into at least making some sort of amendments to land tax in the bill. I have here an article from my local paper, the *Border Mail*, of 31 March, showing a picture of a businessman in the main street of Wodonga. He had placed outside his premises a blackboard saying, 'Land tax contribution centre. Any purchase will help!'. That was the sort of reaction that the land tax issue was getting. The metropolitan newspapers got onto it too, because the same photograph appeared in the *Herald Sun* the following day. That is part of the pressure — along with that from hoteliers at Metung, out at Box Hill and elsewhere — to at least do something about ameliorating or moderating their land tax impost that the government gave into.

Again we have the cheat sheet which misleads government backbenchers by saying, 'Yes, we inherited the scales from the Kennett government and we have not altered them'.

Hon. D. K. Drum interjected.

Hon. W. R. BAXTER — That is true, they have just left them there. Land values have gone up, bracket creep has gone on. This government should acknowledge that the Kennett government at least adjusted the scales from time to time to take account of rising property values. I welcome the exemptions that have been brought in for land tax for caravan parks, rooming houses, aged care facilities and so on. But again I say it was done only because the government was shamed into it. I can remember the Premier talking about it in the first instance, sticking to the guns that there was nothing wrong with it, and the Treasurer absolutely resisting pressure from my electorate for an exemption for caravan parks —

Hon. D. K. Drum interjected.

Hon. W. R. BAXTER — Yes, Mr Drum, taxing the rich — that is what their response was. Finally they were shamed into doing something, and that is

welcome. But as the table circulated by Mr Forwood clearly shows, any moderation is very moderate and the government's take from land tax will continue to rise exponentially over the next few years unless we see some backing off by the government.

Further amendments in this bill go to the issue of subsales. I want to give the government some credit, because it has acted properly in respect to subsales. I brought a case to the house when a similar bill was before the chamber last year. I pointed out that a pair of builders in my electorate had gone to an auction, purchased a property on the Saturday, put it in their own names, got further advice from their financial advisors and solicitors on the Monday and then put the property into the name of their company. The State Revenue Office deemed that to be two sales and double duty was charged.

I had taken it up with the Treasurer and the letter had gone off to the State Revenue Office, and I got back an answer which in effect said, 'No, this is two sales. Go jump in the lake. We are not going to do anything about this', and that is the end of the penny section. I thought that was a grave injustice and I raised it in this house. Mr Forwood, to his credit, said that on the surface it appeared that my constituents had a case, and Mr Pullen, very much to his credit, said that on the facts as I had outlined them there appeared to be a need to have another look at this. I took it up with the Treasurer again. I am very pleased to say that the Treasurer did take action and he did instruct the State Revenue Office to remit the second lot of duty. My constituents received back some \$23 000 in duty. I very much appreciate and I am sure that they very much appreciate that fact.

My disappointment is that it took so much to get it back and that the State Revenue Office itself was unable to make that decision. What I am pleased about is that the amendments in this bill today will go down presumably as the Ultimate Living amendments, because that was the name of the company in question. That has triggered this change, and I commend the government for making the change. I think what was done last year was clearly unjust. The government has acknowledged that, and I give it credit for that.

There are, of course, in the bill a number of miscellaneous amendments. There is the exemption of school councils from payroll tax. It was never intended that school councils would pay payroll tax. It was always assumed they would be under the exemption level in any event, but school budgets have got larger. Some of them are crossing that threshold and they are now being exempted. The secrecy provisions are being

moderated to a degree to enable the Country Fire Authority and the Metropolitan Fire Brigade to acquire certain information from the State Revenue Office, which will enable them to ascertain whether corporations who insure offshore are making their correct contribution to the firefighting services in Victoria. That seems a reasonable provision, because we would not want persons to get around making their fair and equitable contribution simply because they choose to insure their buildings offshore.

There is an amendment to deal with the matter of Dr Tisdall and the State Revenue Office. As I have had explained to me in the briefing, it seems fair enough. I am not entirely certain that Dr Tisdall was not harshly done by in that he actually came forward, but it does seem that perhaps he did not come forward until after it was clear that there was going to be some sort of investigation. There are some amendments there which will make that a much clearer process in the future. I have some reservations about them, but I am not going to oppose them. I share Mr Forwood's concern about the clause 13 retrospective amendments in terms of the Grollo case, and no doubt that will be teased out in committee.

I am very much opposed to the provisions that are contained in clause 11 of the bill. These are the sneaky provisions in this bill because these are the ones that actually abolish existing exemptions. Here we have a bill introduced into the house dressed up so it appears it is reducing taxes, and yes, it is in terms of bank account debit tax. It is to a degree in terms of land tax. It is extending the first home buyers grant, but what it is also doing via the back door with scarcely a mention in the second-reading speech is abolishing three existing and longstanding exemptions. I believe if the government wanted to do that, it should have done it by separate legislation and it should have done it with a lot more consultation and publicity.

I certainly think the abolition of the reductions in capital exemption, as contained in section 49 of the Duties Act, is grossly unfair and has not been justified. There is a similar situation in section 50 with the adjustments to dutiable value on transfer on the company winding up. These are obviously usually going to apply to small companies, companies that are usually owned by a family. To give an example, a small business in a country town that has traded as a family company, because that is the advice the family was given back in the 1950s and 1960s by the legal advisers at the time, owns the local hardware shop in the main street. The couple are the only two shareholders in the company, and because of advancing age or changed taxation laws or whatever they want to wind the

company up and transfer the land into their individual names. Under this provision in this bill they will now pay stamp duty on that transfer, yet the beneficial ownership of the parcel of land will not change — they owned the company, the company owned the land and when the company goes out of existence the two shareholders own the land. They owned it before, except that they owned it through the company. It seems to me that that is just a grab for revenue, and I see absolutely no justification for it at all.

When I read in the bill the provision for the repeal of section 50 of the Duties Act, which goes to the matter of the winding up of a company, I was particularly concerned that that would affect farming families and perhaps get around the exemption in section 56 where transfers of farmland are free of duty. That was a provision introduced by the Kennett government when the then member for Wimmera in another place and Minister for Agriculture, Mr McGrath, was in the Parliament. He was very keen on the introduction of that provision, and to its credit the Kennett government introduced it. It has been very useful in terms of farm succession and enabling older farmers to exit their properties and hand over management and ownership of them to the next generation. It would have been a pity if the abolition of section 50 somehow or other interfered with that very worthy initiative. However, having taken advice, I am now convinced that section 56(2) actually covers that situation and we will not see duty being applied to farm transfers where there is a company wind-up. Section 56(2) says:

The transferor must be—

- (a) a natural person; or
- (b) a trustee for a natural person; or
- (c) a company all the shares in which are owned by natural persons who are relatives of each other.

I think the principle is going to be preserved, so I can put aside my original concern. However, I still believe it is unwise and unfair that section 50 is being repealed by this bill.

Similarly, clause 11 repeals section 55 of the Duties Act, which deals with the foreclosure of mortgages. Currently section 55 says:

No duty is chargeable under this Chapter in respect of the vesting of dutiable property referred to in section 10(1)(a) —

that is, freehold land —

by a decree or order of a court or the Registrar of Titles because of the foreclosure of a mortgage.

It seems to me that people who are in a situation where a mortgage is being foreclosed are in diabolical trouble in any event. I think it is pretty unfair to be imposing a further stress, worry and financial burden on them. The reality will be that if they are foreclosed upon, the property is transferred to the mortgagor and duty is therefore paid, the mortgagor will sell the property to a third party and duty will be paid again, so the government is getting a windfall gain from a transfer that would not have occurred if the mortgage had not been foreclosed. Of course the person who is foreclosing is obviously going to seek recompense for that duty that will have to be paid. Currently that is not paid, so the poor old person who has actually had the mortgage foreclosed upon them is even further penalised for that circumstance.

This situation could apply to a young couple who has borrowed money and bought a home, perhaps in a country town. One of them loses their job for whatever reason and cannot keep up the payments, the mortgage is foreclosed and the lender takes back the property. The lender obviously is going to want to recover the cost of the duty that the lender is going to have to pay to the State Revenue Office. I see that as actually grinding people who are already down further into the ground. I find it difficult that this government, which claims to have some compassion and to represent the low-income people who perhaps are struggling in our community, would impose an even greater penalty on those persons who are already in a diabolical financial situation. I will certainly be opposing that provision in the committee stage. I want to come to the matter of the Better Roads fund which I have considerable concern about.

Hon. B. W. Bishop — You know a bit about that bill, don't you?

Hon. W. R. BAXTER — Yes, I know a bit about that, Mr Bishop, because I happen to be the person who introduced the Better Roads fund. Section 13 of the Business Franchise (Petroleum Products) Act says:

- (1) There shall be established in the Public Account as part of the Trust Fund an account to be known as the 'Better Roads Victoria Trust Account'.

It then sets out the funds that are to go into this account. Of course its genesis was in the situation when an extra 3 cents per litre was imposed upon petrol and diesel in about 1993. It was to be paid into this trust account and a third of it was to be spent in country Victoria. Section 13 further says:

- (3) Amounts standing to the credit of the Better Roads Victoria Trust Account shall be expended, as the Treasurer determines, for the construction and

maintenance of roads within the meaning of the Road Management Act 2004 in Victoria.

As we all know, state business franchise fees on petroleum products were deemed to be unconstitutional and the former government acted before that decision was taken to ensure that the Better Roads Victoria trust account continued, but it was funded by direct subventions from the consolidated fund that bore a resemblance to the amount that had been previously collected by the licensing fees imposed on petroleum products before that was deemed to be unconstitutional. So the fund has rolled on in the intervening years and it has been a very good initiative in terms of assisting in road upgrades and road construction, particularly in country Victoria. But bearing in mind that two-thirds of it was going into the metropolitan area, clearly it fixed a lot of suburban roads as well.

Now we have seen — and I think Mr Forwood has read the particular section of the second-reading speech — that the government has said that it is going to hypothecate all fines into this fund. The speech states:

The proposed amendment to the Business Franchise (Petroleum Products) Act 1979 will implement the 2005-06 budget measure to establish a transparent link between revenue from traffic cameras and speeding fines and the government's expenditure on roads, road safety and road maintenance programs.

From 1 July 2005 revenue from speed cameras, red light cameras and other speeding fines will be directed to improving and maintaining Victoria's road system through the Better Roads Victoria trust account.

So far, so good! The second-reading speech continues:

The Business Franchise (Petroleum Products) Act established the Better Roads Victoria trust account. Section 13(3) of the act currently enables the trust to be expended for the construction and maintenance of roads. The bill amends the act to allow the trust to be spent on a wider range of road improvement initiatives, including road safety programs.

As far as that went, it sounded all right. However, at the briefing I inquired as to whether this amendment would enable the account to be spent on public transport. The persons briefing me referred the question to the ministerial adviser, who was present, who said she would seek advice and get back to me.

Hon. D. K. Drum — Has she?

Hon. W. R. BAXTER — I will give Mr Drum the story. A week went by and I heard nothing. So on Friday of last week I had my electorate officer telephone the Treasurer's office to ask where this information was, bearing in mind I was endeavouring to prepare a bill report for my party meeting on the following Tuesday morning, given that Monday was a

public holiday. I heard the conversation because I was in my office.

My electorate officer had a good deal of difficulty explaining to whoever it was at the Treasurer's office who I was and why I wanted this. She was told she was unable to speak to the ministerial advisor in question and that we would have to put the request in writing. That was done forthwith by email. Again nothing happened. As we know, the debate occurred in the Legislative Assembly earlier this week. About 6.00 p.m. yesterday I got a knock at my door. It was the ministerial advisor in question, who inquired of me whether Treasury had provided me with the information, to which I said no. She said, 'I have a document here for you', which she then provided.

Hon. D. K. Drum — It was not the one he shuffled under the papers the other day, was it?

Hon. W. R. BAXTER — No, I do not think it was that one. I accepted this document and expressed my concern that it had not come to hand before the debate in the other place. Anyway, I now have the document, but it gives me no joy, because I had inquired as to whether these amendments would mean that the trust fund could be spent on public transport, and this is what I got: an undated, unsigned single sheet of paper with no letterhead — —

Hon. D. K. Drum — Out of the Auditor-General's office?

Hon. W. R. BAXTER — I don't think the Auditor-General would take any credit for this one, Mr Drum. The document says:

Traffic and transport integration is about:

safer, more efficient, traffic flow — for example, freeway performance monitoring systems and emergency vehicle priority systems

Possibly that has something to do with roads and road safety, so it might be acceptable. It then says:

Road-based public transport ...

In other words, the answer to my question of whether this means the fund can be spent on public transport is a resounding yes. The document continues:

... for example, assisting road authorities to adopt best practice techniques for improving travel times, reliability and road safety for public transport vehicles. Projects to improve the attractiveness of public transport ...

Hon. D. K. Drum — Paint the buses!

Hon. W. R. BAXTER — I think it means paint the trams, Mr Drum, because it talks about priority tram routes. So there we are: we are going to spend it on public transport! The people who are being fined for speeding will be very interested to know that despite the fact the government said with great fanfare that it would spend fine revenue on road safety initiatives, it will in fact paint the trams.

The document goes on to talk about road freight efficiency, intersection upgrades to facilitate truck movements, designated truck routes and truck rest areas. I do not have too much objection to that, but I would have thought spending the funds on intersection upgrades in fact fits with existing section 13(3) for the construction and maintenance of roads. Again I ask: why this change? Why is this given as an example when I would have thought that example was already covered in the existing business franchise act?

The document then talks about travel and traffic information systems and says there will be a traffic management centre and intelligent transport systems with uninterrupted power supplies at traffic lights. I do not know that any of those things are particularly objectionable, but again it certainly means there is enough scope in this amendment to drive a horse and dray through what you can use this trust fund for. I say that that is totally unwarranted. Presumably it means, for example, spending money on car parks at railway stations. Most of the things listed on this sheet are in the metropolitan area, so one wonders what dividend the country will get out of the speeding fines that are acquired from country areas of the state.

Hon. D. K. Drum interjected.

Hon. W. R. BAXTER — Maybe all sorts of things, Mr Drum. I think the house can see that The Nationals are very suspicious about this amendment — and our suspicion is not allayed by this document, which I received last night. In fact, it is deepened. Therefore at the committee stage I will be moving an amendment to delete the reference to transport integration programs, because we think that is simply a device to enable the government to use this fund for all sorts of things for which it was not intended in the first place and on which the people who incur and pay fines do not think it should be spent — if they are to believe the government's rhetoric that their contribution, involuntary though it is, is to be spent on roads. I indicate that that will be my proposal during the committee stage, and I will be inviting the committee to support me in that matter.

Finally, I indicate that The Nationals are not opposed to parts of the bill. We support a couple of them, even though in reality they result from federal government initiatives. But we are very much opposed to clause 11 and will be moving an amendment to clause 3.

Mr SOMYUREK (Eumemmerring) — Initially I will just say that Mr Forwood and Mr Baxter almost stole my thunder.

Hon. W. R. Baxter — Because we got the cheat sheet we knew what you were going to say.

Mr SOMYUREK — But because I am such an independent thinker they did not quite steal my thunder. I rise to make a contribution to the debate in support of the State Taxation Acts (General Amendment) Bill. The bill amends a number of mostly taxation acts and legislates a number of measures from the budget, including land tax reforms, abolition of the debits tax, extending the first home bonus and establishing a transparent link on speed camera fines and expenditure on roads.

There are a lot more amendments, but I am not as brave as the member for Box Hill in the other place, Mr Clark. Reading *Hansard* I noticed that Mr Clark listed all the various amendments, and it took up about a quarter of the page. So in the interests of preserving paper, I will not list all the amendments. I will make a few comments on the four amendments I have just mentioned, but I will do that a bit later on in my contribution.

It is instructive at this stage to make a few points and observations about taxation in this state and in this country. Both the commonwealth and state governments understand that taxation is a key policy instrument at their disposal. I agree that that is the case more for the commonwealth than for the states. So both those jurisdictions understand they need to be disciplined in the taxation regimes they put in place.

One of the biggest problems facing the nation and the state at the moment is future productivity, mainly due to our ageing population. Economic growth takes place in two parts, one part through new people coming into the work force and the other part through increases in productivity. In the not-too-distant future we will have a real problem in the first part — that is, of working-age people coming into the work force. Some figures from Access Economics suggest that in 20 years time our productivity or economic growth might be halved as a result of a reduction in the number of people entering the work force — that is, not enough people will be

entering the work force and that will reduce our economic production.

One of the ways of offsetting the effects of a reduced working-age population is to increase participation rates in the work force. While the majority of policy instruments affecting work force participation, such as pensions and superannuation, are within the purview of the commonwealth, one of the biggest policy instruments the commonwealth government has at its disposal is income tax or taxation measures. I admit the state government can also influence work force participation by doing things like improving education outcomes. The state government is a big employer so it can make it more conducive for people to work and encourage favourable regulatory environments.

According to budget paper 2 at page 97 work force participation is likely to fall from 65 per cent to 54 per cent over the next four decades unless pre-emptive measures are taken. The federal government has recently handed out \$22 billion of what I consider are misdirected personal tax cuts and \$4.5 billion of ad hoc tax breaks to business, non-residents and high-income superannuants. Unfortunately this means the Howard government, fresh from the election, has missed a great opportunity to really overhaul the tax system and improve the whole structure of the system, including achieving an increase in participation, competitiveness and productivity. In that respect the federal budget has compromised the potential of the Australian economy to some degree.

I quote just an example of the ad hoc nature of these tax cuts. The federal budget offered significant tax breaks for the business community, especially larger businesses and executives. I ask whether the following tax cuts are commensurate with a prudent strategy to boost productivity and competitiveness, or are they just ad hoc tax cuts? The first one is the extension of the 12-month prepayment rule for managed investment schemes. Another is the generous treatment of business black hole expenditure. The third is an extension of the producer rebate to New Zealand's wine producers. It is interesting that the commonwealth budget papers do not even try to substantiate how these measures will enhance the efficiency of our taxation system.

The Victorian government, in budget paper 2 at page 13, at least has some direct references to competitiveness. It says:

The competitiveness of Victoria's tax regime plays an important role in underpinning economic growth and investment. Consistent with the government's strategic priority of promoting growth across the whole of the state, the

government aims to ensure that Victoria's taxes remain competitive with the Australian average.

In its first term the Victorian government transformed Victoria's state taxation regime after conducting the most comprehensive review of Victorian taxes in over a decade. In its second term the government announced a series of cuts to state taxation. These reforms are, as I said, targeted to create a more competitive business environment for driving new investment and job opportunities for Victoria — a clear example of efficiently using taxation as a policy instrument.

Another issue I was not going to touch on but members taking part in the debate have touched on is the GST revenue. I concede that revenue has gone up since the advent of the GST, and from memory I think Victoria gets about \$14 billion.

Hon. D. K. Drum — You are swimming in it.

Mr SOMYUREK — Is \$14 billion of GST revenue correct? That is a fair proportion. But unfortunately Victorian taxpayers contribute about 84 per cent of the GST pool. That needs to be rectified in the future and I think the federal Treasurer, Mr Costello, has made some encouraging comments about balancing that.

Hon. D. K. Drum interjected.

Mr SOMYUREK — I do not think that is the issue, Mr Drum.

Hon. D. K. Drum — It is up to the feds.

Mr SOMYUREK — That is a different issue. What I am saying is that we are contributing about 84 per cent to the GST pool.

Hon. Bill Forwood — But we get 84 per cent of what we — —

Mr SOMYUREK — We get back 84 per cent.

Hon. D. K. Drum — It is a state-based, state-agreed distribution plan.

Mr SOMYUREK — I think the federal government is having a serious look at that.

Hon. Bill Forwood interjected.

Mr SOMYUREK — Yes. I return to the bill. The Land Tax Act 1958 is amended to implement the land tax reform package announced in the budget. This includes: reducing the middle land tax rates that apply to property holdings valued between \$750 000 and \$2.7 million — this will deliver savings of up to 44 per cent; bringing forward by one year the reduction in the

top marginal tax rate announced in the 2004–05 budget — that is expected to benefit over 2300 land tax payers; increasing the tax-free threshold by \$25 000 to \$200 000, thereby eliminating land tax bills for around 21 000 Victorians; providing a general land tax rebate for the 2005 land tax year — that is estimated to cost \$59 million; and capping the increase in land tax liabilities for the 2006 land tax year.

I am running out of time so I will not complete my analysis of the amendments that I said I would. In concluding I reiterate that taxation is a very effective policy instrument and governments do not have the luxury of untargeted tax cuts. I commend the bill to the house.

Hon. J. H. EREN (Geelong) — I am pleased to support the State Taxation Acts (General Amendment) Bill 2005. I start with that old saying: There are two things in life that are forever — that is, death and taxes. Neither is pleasant, obviously. Having said that, unfortunately both are necessary. Taxes are needed for the essential services required and rightfully demanded by the community. That is where the difference is between this government and the opposition. Oppositions, regardless of who is in government, by nature appear to be whingers. They have to whinge about the government of the day; that is their job. But there are indicators to determine if a government is doing a good job, and one of them is elections.

I am somebody who does not like gloating, so I do not want to appear to be gloating when I say that the people out there who decide who is to govern this state have made a very firm decision on who should be in government. It was indicated at the last election that that was the Bracks Labor government. I am sure that the opposition will not undermine that unanimous decision because if they did it would be insulting to the Victorian community. The other indicator is that people are coming back in droves to live in Victoria. Our population has, for the first time ever, passed 5 million. That is yet another endorsement of this government's policies.

People would remember what the Kennett government did as soon as it came to power. It introduced the \$100 poll tax. People may recall that when the same tax was introduced in Great Britain by the Thatcher government there was civil unrest which reached boiling point and they had to reverse that decision very quickly. Obviously there was a lot of anger here in Victoria when the Kennett government introduced that \$100 poll tax. It indicated to the wider community how the new government would conduct itself in taxation policy. It was a very unfair tax on the disadvantaged.

But whenever there is a tightening of their fiscal policy that is what conservative governments do — they target the most disadvantaged communities first. Within a few years of the Kennett government's coming to power we saw people escaping to other states and territories to live, and we are very grateful that they are coming back to Victoria.

The other thing I comment on is the privatisation frenzy that went on in that era. You do not need to be Einstein to figure out that when you sell a public asset that brings money into the state's coffers you cease to gain revenue from it. Sure, you receive a lump sum for the sale but, as people know, that is very quickly spent and you are back to square one. So where does one derive money from in order to fix our roads and run our schools and hospitals and so on? The money has to come from somewhere. That is where the problem was for the Kennett government: it increased taxes and created new ones in order to get the money. That is what happens when you sell public assets that bring in money to the state.

One of the controversial sales was the former Gas and Fuel Corporation. At that stage the Gas and Fuel Corporation was bringing into the state coffers \$350 million to \$400 million a year, and that public utility was then sold off. I cannot understand why that is done when a public utility brings in so much money. The same issue is being considered with Telstra in the federal arena. Telstra brings in somewhere between \$2 billion and \$3 billion to the federal government. I cannot understand why a government would want to sell an asset that is bringing in so much money.

Mr Scheffer — Ideology.

Hon. J. H. EREN — That is exactly right, Mr Scheffer, it is pure ideology — it is privatisation frenzy. You could understand that if a public asset was losing money, and losing it at a very rapid rate, which meant that obviously services would be cut in order to maintain that public utility, you would consider looking at ways of fixing that problem. The Gas and Fuel Corporation was bringing in \$350 million to \$400 million in state revenue. Telstra is bringing in \$2 billion to \$3 billion of revenue, so why would one want to sell that asset I do not know.

Ms Romanes — Give it away to your mates.

Hon. J. H. EREN — That is probably right, Ms Romanes. What have we done with tax revenue? We have an extra 5766 nurses in the hospital system, an extra 1150 police, 60 new police stations, and an extra 5000 teachers and other staff in Victorian schools. I

point out that somehow the opposition says that you have to cut this tax and that tax.

Ms Romanes — But they do not want to cut services though.

Hon. J. H. EREN — No, they do not want a cut in services. The government does not keep this money; it goes back into the community. Geelong has been happy with what it has been given so far. Mr Forwood said we have been hiding our increases in taxes through gaming revenues, and that we were being sneaky somehow in increasing some taxes.

Hon. Bill Forwood — There are two taxes in this that I mentioned.

Hon. J. H. EREN — That may be, Mr Forwood.

Hon. Bill Forwood — I rest my case.

Hon. J. H. EREN — You do not have to rest your case. That is Mr Forwood's argument. I point out to Mr Forwood the bottom line.

Hon. Bill Forwood — Your means justifies the end.

Hon. J. H. EREN — The bottom line is that there is \$100 million left in the kitty, and that is what good financially responsible governments do. They have a certain amount in a budget which gives us — which has been the case in the past five years or six years, as Mr Brideson interjected during an earlier contribution — a AAA rating that will stay.

This government has proven yet again that it is financially responsible. The \$100 million that is left in the kitty after allocating the budget has been given back to the community, and that is what good governments do. Gone are the bad old days of the Kennett era when it was hoarding the money it received through taxes in the bank — millions and millions of dollars in the bank. That is not what governments are supposed to do. It is not a personal bank account, it is there to service the community. I know this will yet again annoy Mr Forwood, but I shall highlight some of those important reductions and taxes that this government has abolished.

I turn to payroll tax. Obviously the business community is very happy about some of the policies the Bracks Labor government has introduced.

Hon. Bill Forwood — You have not abolished payroll tax.

Hon. J. H. EREN — I did not say that we have abolished it. I said that I will highlight to the house

some of the cuts and some of the taxes that have been abolished. Through the Chair, payroll tax — —

Hon. Bill Forwood interjected.

The ACTING PRESIDENT (Mr Smith) — Order!

Hon. J. H. EREN — There has been a reduction in the rate from 5.75 per cent to 5.25 per cent, which is a 9 per cent reduction. The payroll tax threshold has been raised from \$515 000 to \$550 000. Victoria — and we are very proud to say this — now has the second-lowest payroll tax rate in Australia. In New South Wales the tax rate is 6 per cent and the threshold is \$600 000.

Land tax is another one. This government is very proud of having that motto of listening and acting — —

Hon. Bill Forwood interjected.

Hon. J. H. EREN — We do, Mr Forwood. You can laugh about that but we do listen.

Debate interrupted.

DISTINGUISHED VISITOR

The ACTING PRESIDENT (Mr Smith) — Order! I wish to draw the attention of the house to a visitor. The Honourable John Delzoppo, a former Speaker of the Assembly, is in the gallery.

Debate resumed.

Hon. J. H. EREN — A lot of issues that came up about land tax we obviously saw as a concern. The community made it loud and clear to us that that tax was considered somehow unfair and we listened to that and therefore we acted. We acted on the concerns of the community, Mr Forwood, as we do — as good governments do. Therefore we increased the threshold from \$85 000 to \$200 000 for 2005–06. We lifted the middle tax brackets and reduced the middle rates. We reduced the top rate of land tax from 5 per cent to 3.5 per cent for 2005–06, with a reduction to 3 per cent to be phased in by 2007–08.

The stamp duty on mortgages was abolished from 1 July, 2004, which provides a massive \$230 million tax saving each year. For a \$330 000 home purchase that represents savings of more than \$1150. Removing this duty also benefits small businesses taking out mortgages to expand their businesses. The abolition as of 1 July of the bank account debits tax is part of the intergovernmental agreement with the commonwealth and is worth around \$280 million each year. The duty

on non-residential leases, financial institutions, and quoted and unquoted marketable securities has also been abolished.

Then there is the reduction in WorkCover premiums, showing once again that we are listening to business communities. In addition to cuts announced in April 2004, the Bracks government's 2005–06 budget delivered a further 10 per cent cut to WorkCover premiums. Those two cuts will save employers \$350 million per year — —

Hon. Bill Forwood — Yes, that is what it says here.

Hon. J. H. EREN — But Mr Forwood, you say that you are not happy with those cuts — —

The ACTING PRESIDENT (Mr Smith) — Order! Mr Eren, through the Chair!

Hon. Bill Forwood interjected.

The ACTING PRESIDENT (Mr Smith) — Order! Mr Forwood knows interjecting is disruptive.

Hon. J. H. EREN — The community has obviously benefited enormously from the initiatives of the Bracks government. The other one was the abolition of mortgages duty from the 1 July. This is obviously a policy that in terms of making small business — —

Hon. Bill Forwood — Are you going to get to the home buyers page?

Hon. J. H. EREN — After the introduction of the GST, Mr Forwood, how could you say that the conservative federal government and the conservative opposition here are friends of small business? The federal government introduced the biggest nemesis for small business — that is, the GST.

Hon. Bill Forwood — Are you complaining about the GST now?

Hon. J. H. EREN — I am complaining about what I am hearing from my constituents, the business owners and small business owners in my electorate. They are devastated by the GST. They are still trying to recover from those changes.

The ACTING PRESIDENT (Mr Smith) — Order! The member's time has expired.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 and 2 agreed to.

Clause 3

Hon. W. R. BAXTER (North Eastern) — I move:

Clause 3, lines 6 and 7, omit “, road safety initiatives and traffic and transport integration programs,” and insert “and road safety initiatives”.

That sounds complicated but it is really quite simple. What I am doing is removing from the bill the reference to ‘transport integration programs’ for the reasons that I enumerated in my second-reading contribution. I and my colleagues in The Nationals believe that gives the opportunity for the government to spend the Better Roads Victoria Trust Fund on a whole range of matters dealing with non-road projects, such as public transport and the like.

Our fears were confirmed by the document that was handed to me yesterday by a member of the office of the Treasurer. It clearly indicated there is scope for doing so. For the record I read most of that document earlier this morning during the second-reading debate and I will not repeat it. I refer to page 67 of the most recent yearly report, entitled *VicRoads Annual Report: 2003-04*:

The Victorian government's Better Roads Victoria Trust Fund was established under the Business Franchise (Protection Products) Act 1979. The act specifies that a state levy on petrol and diesel fuel sales was to be utilised to fund construction and maintenance of roads. Following the abolition of this levy in August 1997, the Victorian government has continued to make equivalent payments to the trust fund, together with \$17 per motor vehicle registration applicable from 1 July 2003.

That specifies how the fund is accumulated. It might be interesting if the minister could inform the house whether there is still going to be a subvention from Treasury to the fund in the same way there has been in the past now that traffic and speeding fines are also to be allocated to it, and explain what the mechanism is going to be. If that is so, that would seem to me to lead to quite an increase in the fund. Yet the indications are there is going to be no net increase in the availability of road funds as a result of the government's decision to hypothecate speeding and camera fines to this particular fund.

It might be worth noting that last year the Better Roads Victoria fund contributed substantially to the Eastern Freeway extension from Springvale Road to Ringwood; the Cooper Street, Epping, duplication; the Hallam bypass; the Pakenham bypass; Geelong Road widening;

Greensborough Highway bridge works; Moorooduc Highway road widening; Thompsons Road widening; and in the country to the Calder Highway, Kyneton to Ravenswood; Geelong bypass planning; Henty Highway improvements; Maroondah Highway curve widening; 26 bridges on the arterial road network; and 34 projects to assist municipalities upgrade local roads where they were affected by activities of state or regional significance. There were 112 rural arterial road reconstruction projects valued at \$13.3 million.

We can see the value of this fund and what a loss it would be to road infrastructure and motorists if funds were siphoned off, as I believe this amendment would allow them to be, into activities other than those directly related to roads. That is the reason I am moving this amendment, and I invite the committee to accept it.

Mr LENDERS (Minister for Finance) — I take it that subvention — it is a term I have not heard before — means an allocation of funds. I will take that as a given from Mr Baxter's question. The fundamental issue with Mr Baxter's amendment is the questions it raises and its intent. The government does not support it. As Mr Baxter said when referring to the VicRoads report, the Better Roads Victoria fund has done a lot of very worthy projects. He outlined the history of the fund, and I will not go back over any of that.

The material issue is that one-third of that fund has been going to country roads. There is certainly no intention to change any of that. His question is about what happens to the traffic and speeding fines component, because as the fund has expanded the revenue is not just from the equivalent of 3 cents a litre that was there until the licensing arrangements changed — and has now been indexed — and the registration component he raised. His concern is in some way or other that by adding that component there would be a diminution of the money that would have otherwise gone to country roads. I can assure him there will be no diminution of the money that goes to country roads. That is a given. The second question he asks is: will one-third of that bigger fund go to country roads? By his amendment he seeks to tighten and make sure of that.

Firstly, there will be no diminution of money to country roads — I can categorically say that. How that will apply in the larger pool and the delineation of one-third is in the end a judgment made by the Minister for Transport in the other place, assuming obviously that all this is carried, on the recommendations put to him by VicRoads in any given year. But what is unequivocal is there will be no diminution to country

roads and the Better Roads Victoria fund. The design of that is to go one-third, one-third, one-third.

The road safety and traffic and transport integration program is just about road safety initiatives. Mr Baxter outlined in his speech during the second-reading debate some of the issues he has. Obviously from his perspective he would like a greater degree of clarity on some of these issues than perhaps he has seen to date. Some of this is about how we interpret words in a range of things. Under the Road Management Act and other pieces of legislation, which set out how the Minister for Transport and VicRoads operate, the definitions of some of these things are fairly clear. During the second-reading debate there was a partly facetious discussion about whether this could be used to paint trams, for example. I certainly advise that it could not be used to paint trams. There are a lot of things, and for each there are definitional issues. The fundamental thing is that Mr Baxter's concern that this bill in its current form will diminish the funding that goes to country roads is unfounded. For those and other reasons I announce that the government will not be supporting the amendment.

Hon. BILL FORWOOD (Templestowe) — I am happy to announce that the Liberal Party will be supporting the amendment. I have a number of questions about clause 3. I guess I would like to start with a very simple one: what does the government mean when it talks about transport integration programs? Perhaps if we could have some indication of how the government thinks these additional funds will be spent on transport integration programs, we might have some better understanding.

Mr LENDERS (Minister for Finance) — I think the simplest way is to refer to that outlined on page 32 of the VicRoads report. That is how we define it. I can read it into the record, if Mr Forwood wants me to do that. That is probably the most succinct summary in response to his question.

Hon. BILL FORWOOD (Templestowe) — How will the minister decide on the proportion of funds to be spent on road safety initiatives and traffic and transport integration programs?

Mr LENDERS (Minister for Finance) — Mr Forwood has asked how the minister will decide. I can give a short answer or a long answer. The short answer is that it will be at his discretion and consistent with the guidelines he gets from cabinet or from what he reads from the act. The longer answer is that those considerations will depend on what the needs are year on year. Presumably if traffic integration is a bigger

issue than new construction in one year, he will focus his mind and his discretion on that based on the advice he receives from VicRoads and a range of other things. It is a discretionary issue, but the guidance for him will come from the objects of the act and all the other parts that come with government, particularly cabinet decisions.

Hon. BILL FORWOOD (Templestowe) — I ask the minister to advise the committee what are the sources of funds for the Better Roads Victoria Trust Fund at the moment, and what will be the sources of funds after the bill passes?

Mr LENDERS (Minister for Finance) — The sources of funds at the moment are, firstly, what was the 3 cents a litre fuel levy — when that went to the commonwealth the amount got indexed into the future; secondly, a portion of the registration uplift which was in the budget last year or the year before; and thirdly, the traffic fines that would come in as a consequence of this bill becoming law.

Hon. BILL FORWOOD (Templestowe) — By what mechanism will the traffic fines come in?

Mr LENDERS (Minister for Finance) — Again, I will seek further advice on that. But, simply, that particular amount would go into the Better Roads Victoria Fund from the appropriation, just as the notional amount for the other two has been appropriated. So the money would be hypothecated across. I will seek further advice on that, if Mr Forwood wishes me to.

Hon. BILL FORWOOD (Templestowe) — Yes.

Mr LENDERS (Minister for Finance) — As I advised Mr Forwood and the committee, at the moment the fines go into the consolidated fund under its own legislation, and they will be appropriated through the budget, as I said, into the Better Roads Victoria Fund.

Hon. BILL FORWOOD (Templestowe) — Let me get this clear. At the moment fines get paid into the consolidated fund. In future they will continue to be paid into the consolidated fund. And then at some time an amount equal to the amount raised will be transferred to the Better Roads Victoria Trust Fund; is that right? Hansard cannot record the minister nodding his head.

Mr LENDERS (Minister for Finance) — Hansard can now that you have described it!

The CHAIR — Order! A further question, Mr Forwood?

Hon. BILL FORWOOD (Templestowe) — Certainly. So we can take it from this that all revenue from speeding and red-light camera fines will be hypothecated across.

Mr LENDERS (Minister for Finance) — Yes.

Hon. BILL FORWOOD (Templestowe) — On behalf of the government will the minister give a commitment that there will be no diminution in the 3 cents a litre substitute mechanism that is already in place?

Mr LENDERS (Minister for Finance) — I certainly can, and what I am saying should not be misconstrued in any way. It is obviously the option of every government in every budget to change that, whether it is a Bracks government, a Doyle government or whatever. But we are legislating for this to come in now so that this formula is in place and it is clear and transparent that the money Victorian taxpayers pay, either through the adjusted historical 3 cents a litre levy, through the policy decision of the lift-up from the motor registration, or now from the policy decision on traffic fines. So by legislative formula we say that money is hypothecated to Better Roads Victoria for the purposes of that fund.

Hon. BILL FORWOOD (Templestowe) — This is my final question on this clause. So we can take it that the current proportion that goes to country Victoria will continue to go there, but not necessarily one-third of the traffic fines that are raised?

Mr LENDERS (Minister for Finance) — This bill is a new area. As I said to Mr Baxter in relation to his comments, I can unequivocally say that there will be no diminution of funds to roads in country Victoria. Obviously the original funding formula is in place under the Better Roads program. In the end these are calls that the Minister for Transport will need to make subject to his discretion under the acts, cabinet decisions and a range of other areas. But clearly the intention of this is that it be one-third to country Victoria. Now how that rolls and smooths in a given year — whether one year it is 35 per cent and the next it is 31 per cent, or whatever — will be the detail of the issue that the Minister for Transport will need to address in a given year, but clearly in the second-reading speech and when the original Better Roads program was set, that was the formula that was in place, and I do not see why that would change.

Hon. W. R. BAXTER (North Eastern) — I have listened to the interchange between the minister and Mr Forwood and I appreciate his advice and the

information that was elicited. However, I will still proceed with my amendment because I have not been at all convinced by that exchange that there is not scope being provided in this amendment for the Better Roads fund to be appropriated to all sorts of extraneous issues. Of course it will be spent on some issues that clearly fit within the existing definition in the act anyway, and clearly road safety initiatives, which are being added and which I have no objection to, will be worthwhile items of expenditure. But this rather airy-fairy definition of road integration programs — and since the minister mentioned page 32 of the VicRoads report I have had a look at it — does not give me any comfort that we have this sufficiently quarantined to achieve the purposes set when the fund was originally established, particularly in the interests of country people. I acknowledge the minister's undertaking that country roads will still receive one-third of the base of the fund, but how much more it might get now seems to be highly problematic, bearing in mind that most public transport initiatives are likely to be in the metropolitan area.

Mr LENDERS (Minister for Finance) — I am disappointed that I could not persuade Mr Baxter, but I guess that as a former roads minister who had those discretions he is probably a tough customer to convince by persuasive methods.

As I said earlier, the intent of this is to make it clear and transparent to the Victorian community that that money is hypothecated back to transport and road safety issues, and again, I would have hoped to have persuaded the committee of this. But clearly the government's intention here is to show to the community that the money that is spent on speeding fines will be apportioned to transport issues.

Committee divided on omission (members in favour vote no):

Ayes, 22

Argondizzo, Ms	Madden, Mr
Broad, Ms	Mikakos, Ms
Buckingham, Ms	Mitchell, Mr
Carbines, Ms	Nguyen, Mr
Darveniza, Ms	Pullen, Mr
Eren, Mr	Scheffer, Mr
Hilton, Mr (<i>Teller</i>)	Smith, Mr
Hirsh, Ms	Somyurek, Mr (<i>Teller</i>)
Jennings, Mr	Theophanous, Mr
Lenders, Mr	Thomson, Ms
McQuilten, Mr	Viney, Mr

Noes, 19

Atkinson, Mr	Hadden, Ms
Baxter, Mr	Hall, Mr (<i>Teller</i>)
Bishop, Mr	Koch, Mr
Brideson, Mr	Lovell, Ms

Coote, Mrs
Dalla-Riva, Mr
Davis, Mr D. McL.
Davis, Mr P. R.
Drum, Mr
Forwood, Mr

Olexander, Mr
Rich-Phillips, Mr
Stoney, Mr
Strong, Mr
Vogels, Mr (*Teller*)

Amendment negatived.

Clause agreed to.

Clauses 4 to 10 agreed to.

Clause 11

Hon. BILL FORWOOD (Templestowe) — I indicate to the committee that the opposition will oppose clause 11. Clause 11 is the provision in the bill which abolishes the exemptions found in sections 49, 50 and 55 of the Duties Act. We canvassed these issues in some detail in the second-reading debate. They go to reductions in capital, adjustment of dutiable value of transfer on a company wind-up and, of course, the foreclosure of mortgages.

We find these to be very hard-hearted, and, as I mentioned, the Law Institute of Victoria is opposed to this. I want to put on the record what the law institute says in relation to this:

... abolition of sections 49 and 50 will impose severe impediments to the ability of Victorian businesses to operate efficiently; and unfairly target small business and, in particular, 'mum and dad' family companies with family members as shareholders. Such shareholders will not be entitled to claim an exemption on liquidation or capital reduction whereas a corporate shareholder in a large commonly owned corporate group would be entitled to claim the exemption.

Most other Australian jurisdictions allow an exemption for transfer of dutiable property to a shareholder upon winding-up of a company. The exemption is allowed under the stamp duties legislation of South Australia, Tasmania, Northern Territory and Western Australia.

Removal of the exemptions would be particularly unfair for a family company holding the family residence.

Before we vote against this clause I would like the minister to explain, firstly, why the government believes it needs to take this action, particularly given the very robust anti-avoidance provisions that are in place; and secondly, I would like him to explain why the government did not raise these issues for discussion with the Law Institute of Victoria when it was doing the subsales. The State Revenue Office talked to the law institute in detail about part of this bill — but not another part — and I want to know why.

Mr LENDERS (Minister for Finance) — In response to Mr Forwood I will say a couple of things.

Firstly, we have these tax amendment bills each year. They are annual, if not more often. There is ongoing dialogue between the State Revenue Office and various stakeholders on this. Firstly, the anti-avoidance ones are common and we often talk about them. Secondly, as to the specifics of which clause was done at which time, I will have to take on notice from Mr Forwood.

But specifically to his question of why we are doing these, none of these three sections, as I understand them, are actually used a lot. Part of the purpose of dealing with it, as you would do with any robust review of any taxation legislation, is to deal with anti-avoidance things before they become an issue.

Going through section 49, for example — a reduction in capital — that is not available in any other jurisdiction. Section 50 — the company wind-up — Mr Forwood said yes in most other jurisdictions. I think he named three. All we need to know is that it is not the case in New South Wales and it is not the case in Queensland, and by the time you take New South Wales, Victoria and Queensland into account you probably have 70 per cent or 80 per cent of the country. So the norm is to have the government's amendment effectively in place.

There is not a great deal in this, like the exemption for small businesses that Mr Forwood referred to. My notes say that the registrar of titles advises that there are only four or five cases a year on this, so it is not a big revenue issue. This is fundamentally one to deal with anti-avoidance issues before they take effect and to harmonise us with the other major jurisdictions.

Hon. BILL FORWOOD (Templestowe) — I quote from a letter from the Law Institute of Victoria:

The proposed repeal of sections 49 and 50 has not been the subject of consultation and comment and has come as a surprise to the LIV.

Could the minister explain to the committee under what circumstances the State Revenue Office decides to talk to the LIV and under what circumstances it decides not to talk to the LIV.

Mr LENDERS (Minister for Finance) — This government is one of the most consultative governments around — —

Hon. B. W. Bishop interjected.

Mr LENDERS — Mr Bishop says that we might hang on as we fall about laughing. I would put on the record, Chair, that those opposite often criticise us for being too consultative. In dealings that the SRO has or that the government has, if you were talking of

anti-avoidance or other measures, you would talk in general terms about them. You would have meetings with stakeholders to see what they come up with; you would put things on the table to them.

These three sections are particularly minor. This is tightening up in advance. I can seek further advice as to who, how, why or where, but I would suggest to Mr Forwood and the committee that when you have ongoing consultation about these sorts of issues with an organisation like, presumably, the tax committee of the Law Institute of Victoria, which is what we are talking about here, you have an ongoing discussion. I am happy to seek further advice as to what the specific criteria are.

In general terms: we consult — it is a two-way thing — people raise things with us, we raise things back; this is on the table. I can seek more specific advice if Mr Forwood wants it. If he wants a rhetorical point, I am happy to have the rhetorical one with me. If he wants a specific one, I will seek the advice now and get it to him on notice.

Hon. BILL FORWOOD (Templestowe) — I do not want to debate this clause any further than we have done already. I thank the minister for his offer, and I look forward to receiving the advice on notice. I make the point that if this is no big deal, then we should not be doing it. Its being small is not a reason to do it. I also make the point that in circumstances such as this we need to look at the people who will be hurt by it, and there is no way in the world that it is going to be the government. It is going to be the poor people who are on the receiving end of it. I indicate again that we will be voting against this clause, and I look forward to receiving the information from the government.

Mr LENDERS (Minister for Finance) — I will not debate the point either, other than to take up Mr Forwood's remark that if it is small we should not be doing it.

Hon. Bill Forwood — That was your reason for doing it.

Mr LENDERS — I make the point that if there are issues of taxation that may be small but add complexity to a taxation system — they make longer an already long duties act as in the case of the state or income tax act in the case of the commonwealth — then anything that can be done to streamline, harmonise and make them simple is a worthwhile objective.

Hon. W. R. BAXTER (North Eastern) — Really and truly I think the minister was scraping the bottom of the barrel in that comment. If all we are doing in this

is to make the act a bit shorter — heaven’s above! The crucial reason is that advanced by Mr Forwood: it is going to impact very, very severely on a small number of people who in most cases are already under extreme financial pressure in any event. I think it is unjust and unfair.

I am not going to recapitulate the arguments I advanced in the second-reading stage, except to say to Mr Eren that if he wants to come into this chamber and make speeches about how good this government is, let him get his facts right. The previous government did not introduce a poll tax. A poll tax is a per capita tax. The Kennett government did not introduce any sort of per capita tax, and for Mr Eren to come in here and say that it did is representative of — —

Hon. J. H. Eren — You can deny it all you like, Mr Baxter, but it was a poll tax.

Hon. W. R. BAXTER — On Mr Eren’s definition a tax was put on every person in this state. That is clearly untrue. The cheat sheet again has misled the dumb backbenchers of the government. He should be much more careful in what he says.

Mr LENDERS (Minister for Finance) — I do not want to belabour this, but I cannot let Mr Baxter’s comment pass. My response to Mr Forwood was not about the objective of this being to shorten the act. It was in response to his comment that just because something is small it does not mean it is not worth doing.

Committee divided on clause:

Ayes, 22

Argondizzo, Ms	Madden, Mr
Broad, Ms	Mikakos, Ms
Buckingham, Ms	Mitchell, Mr
Carbines, Ms	Nguyen, Mr
Darveniza, Ms	Pullen, Mr
Eren, Mr	Scheffer, Mr
Hilton, Mr	Smith, Mr
Hirsh, Ms	Somyurek, Mr
Jennings, Mr (<i>Teller</i>)	Theophanous, Mr
Lenders, Mr	Thomson, Ms (<i>Teller</i>)
McQuilten, Mr	Viney, Mr

Noes, 19

Atkinson, Mr	Hadden, Ms
Baxter, Mr (<i>Teller</i>)	Hall, Mr
Bishop, Mr	Koch, Mr
Brideson, Mr	Lovell, Ms
Coote, Mrs	Olexander, Mr
Dalla-Riva, Mr	Rich-Phillips, Mr
Davis, Mr D. McL. (<i>Teller</i>)	Stoney, Mr
Davis, Mr P. R.	Strong, Mr
Drum, Mr	Vogels, Mr
Forwood, Mr	

Clause agreed to.

Clause 12 agreed to.

Clause 13

Hon. BILL FORWOOD (Templestowe) — I do not want to take up the committee’s time with this clause. I canvassed it at some length during the second-reading debate. All I want to do is ask the government what justification it has for introducing a clause backdated to 13 May 2004 which applies to one specific transaction which was not entered into at that date.

Mr LENDERS (Minister for Finance) — As I understand what has happened, when the original legislation was introduced the intent was clear in the second-reading speech. As I understand it there was nowhere in the industry, whether in accounting or the tax profession, where any advice was given other than this was the legislation and the intent of the legislation. I further understand that in the one instance Mr Forwood refers to the particular transaction was arranged on the basis of the intention of the second-reading speech. It was only after the affairs were arranged that this issue came forward. We do not see this as being classically retrospective, we see it as clarifying the law as it was. I am not convinced that anybody arranged their affairs on the basis of anything but the original intent of this legislation.

Clause agreed to; clauses 14 to 39 agreed to.

Reported to house without amendment.

Remaining stages

Passed remaining stages.

NATIONAL PARKS (ALPINE NATIONAL PARK GRAZING) BILL

Second reading

Debate resumed from 16 June; motion of Ms BROAD (Minister for Local Government); and Hon. P. R. HALL’s amendment:

That all the words after ‘That’ be omitted with the view of inserting in their place ‘this house refuses to read this bill a second time until the Australian Heritage Council completes its assessment of whether to permanently include the Alpine National Park on the National Heritage List’.

Hon. PHILIP DAVIS (Gippsland) — The decision to end 170 years of alpine grazing tradition is the latest in a series of actions resulting in many Victorians

asking the question: why does Labor hate country Victoria? The latest targets in Labor's hate campaign against country Victoria are the mountain cattlemen, as shown by Labor's vilification in government advertisements which are even running in the media today. The decision to ban alpine grazing is a repudiation of Australia's heritage and of the Labor Party's own roots, which are based amongst rural workers including stockmen. I remind members of this house that it was out of the pastoral workers and shearers that the Labor Party was essentially formed, and the timber workers were part of that construct, because in the early years the timber industry was vitally important to the development of this state. No less than the great Labor Prime Minister, John Curtin, was initially in his political career involved in the Labor movement through his role as secretary of the Victorian Timber Workers Union.

Today it is quite evident to us just how far the Labor Party has moved from that heritage. The abandonment of the Australian narrative as embodied in the legacy of Banjo Paterson has shocked even those without direct involvement in primary industries. Labor is not sympathetic to the issues that affect the people who put it in office. In 1999 country Victorians made Steve Bracks our Premier, and he has repaid us — that is, country Victorians — with neglect and contempt, and now with vilification. The Liberal Party supports the renewal of the mountain cattlemen's alpine grazing licences, is opposed to Labor's ban and is committed to overturning it when in government. Therefore, I am opposed, and the Liberal Party is opposed to the bill before the house, and we will support the reasoned amendment moved by the Leader of The Nationals.

In relation to the substance and context of this legislation, the Labor Party has abused its moral right to be in government. It goes without question that to have authority as a government one has to have the trust of the community — in particular, the trust of the stakeholders who elected the government, the people of Victoria. The repudiation of the roots of the Australian Labor Party in rural workers is also a reflection of the contemporary repudiation of all things rural. The approach of the Labor Party now seems to be that of a city-based and city-interested party. It is more interested in the chardonnay and caffelatte set, as evidenced, frankly, by the regular visits in 2003 to Beechworth by leading government ministers purporting to be visiting communities affected by the fires that were occurring in the alpine area. What did we see regularly on television? Nothing more than visits to the Beechworth Bakery, with the Premier sipping caffelattes. I make the point in relation to the fires — which in terms of area affected predominantly

East Gippsland — that it was day 36 of the fires before the first government minister arrived in East Gippsland. That was the Treasurer, Mr Brumby. He flew in to Dinner Plain and flew out.

I have to say that the abandonment of rural Victoria is in such stark contrast to the promises that were made to the country that it is no wonder trust has been broken. The Labor Party has become a specialist in the art of deception. It has abused the trust and goodwill of cattlemen and rural people. It has indulged in extensive consultation processes, adopting an approach of persuasion to participate in a meaningful dialogue about policy, and as such has become a parasite, sucking the resources, energy and goodwill out of those people who have invested, at no cost to the state — entirely at a personal cost — an enormous number of man-hours and huge personal expense in travelling to meetings and showing the government representatives around the high country.

I have to say that this debate is about values. It is a debate about the values of our heritage, of Australia's heritage, of the heritage those of us who represent country areas still value highly because we have some knowledge of it. We know from whence we come. Unfortunately it seems that the modern Labor Party has no idea either of where it comes from or of where our society has developed from.

Mr Smith — We know enough to get elected.

Hon. PHILIP DAVIS — I will take up the interjection by Mr Smith. 'We know enough to get elected', he said. If that is his cynicism, I think the community of Victoria will judge it quite properly at the next election.

The debate on science is, frankly, a farce. This debate is not about science; it is about a relevant impact of man on our landscape. Anybody in this place who has any understanding of country Victoria knows it has been substantially transformed. I can speak to that because my roots go back to a pioneering culture 145 years ago, and I know what my forebears did in relation to changing the landscape that we live in today. But it has generated the wealth of this state. It has contributed to the overall social and economic wellbeing of our community, and it is not appropriate to repudiate what country people have done with their physical exertion to make people who live in the city comfortable or to challenge the difficult environment in which they have to carve out an existence.

There is no question that today a debate about values, trusts, and country ways is irrelevant to the Labor Party,

but it is absolutely relevant to the Liberal Party and The Nationals. The Labor Party, under this Premier, and the Independent member for Gippsland East in the other place, Craig Ingram, came to office to save the Snowy River. There is no question that the coalition of Independents that put Steve Bracks into office was welded together in a cause célèbre to save the Snowy River. But what have we got now? We have seen an abandonment of the people about whom this debate should be about. It is an abandonment of the people who have made the heritage of Victoria and Australia. It is an abandonment of the mountain cattlemen. I cannot understand why the member for Gippsland East in the other place has not put the same effort into persuading Steve Bracks to save the men from Snowy River — that is, the mountain cattlemen — as he did into trying to save the Snowy River.

Clearly the Labor Party does not understand an ethic, which is the reason we have the legislation being debated today — that is, the nature of a pioneering culture that is still represented in the ethics and the way that people who work in the mountains have to live is one of mutual trust and respect because they depend on each other for survival. It is quite clear that a matter of trust is not relevant to the Labor Party today.

Through my family I have had a long history of association, friendship and acquaintance with many generations of mountain cattlemen. I am conscious of the contribution that the families of the mountain cattleman have made to our society. I respect it, I applaud it and I think that we as a nation should do as the Americans have tended to do and enshrine it in folklore. But the Americans have not just stopped there; they have ensured that there is a living culture represented in their rural areas in a way that is clearly not accepted by the Australian Labor Party. I put to the house that this bill — —

The PRESIDENT — Order! The member's time has expired.

Hon. B. W. BISHOP (North Western) — It gives me no joy whatsoever to stand up in this Parliament and take part in this debate which will see mountain cattleman removed from their rightful place of having their cattle graze in the high plains. I support my leader Peter Hall's reasoned amendment, which would give some practical assessment to this process as time goes on.

Firstly, I would like to congratulate the mountain cattlemen. They have behaved impeccably throughout this whole debate as they did in a previous and similar situation, when, as I understand it, the Labor

government of the time made a promise. But that has been broken by this government for the sake of chasing a few Greens votes.

I commend my good friend the Honourable Graeme Stoney. Probably only a few people realised what it took for Graeme to make that speech yesterday. It certainly took a fair bit of effort. When I went up to him afterwards he said, 'I did pretty well until I got to where my grandson was'. So I commend Mr Stoney on his performance yesterday. Like the Honourable Philip Davis's, my voice has gone. It is probably just as well for the government that his voice has gone today, as otherwise he certainly would have been able to make his points more loudly, as he usually does. Mr Stoney did a great job, behaving with dignity and integrity all the way through. I congratulate him on that. I notice also that the Victorian Farmers Federation is strongly supporting the mountain cattlemen, as we would expect.

I point out that this government behaves one way on one hand and differently on the other. In this one it is killing the Man from Snowy River. A bit of cynicism was expressed yesterday about the fact that the Leader of The Nationals in the other place, Peter Ryan, made this a catchcry. That is what the government will do; there is no doubt about that. That has been driven home in speeches in this house and in the other house. The government will have ripped away from all of us the practical management of the high country. It will also rip away the opportunity for mountain cattlemen to survive — —

Mr Smith interjected.

Hon. B. W. BISHOP — To survive. If Mr Smith wants to interject, I welcome that. It will show how little he knows about this whole process.

Mr Smith — Did Kosciuszko survive?

Hon. B. W. BISHOP — The government is saying it is doing this because of the science. Science, my eyebrow! It has nothing to do with science. If you are talking about science, why is the government backing up that science by putting a toxic waste dump 500 kilometres away from the source of the waste? Try to balance all that up. You cannot do it, can you? You cannot do both things, but the government will. It will ram it through. I hope it does not do that with the toxic waste dump. We will see about that.

Honourable members interjecting.

Hon. B. W. BISHOP — Mr Smith can have a go. He can laugh, if that is what he feels about how the

government can treat country Victoria. That typifies what this government is about. It will ram through this bill, which removes mountain cattlemen from activity in the high plains, where they have been for 170 years.

Most Australians are pretty fair, I reckon, but this has not been fair. It has been kangaroo-court stuff, with a predetermined result — no process, just sudden death. We have heard about it before. People talk about the four backbenchers forming the task force. I do not feel sorry for them, but I think they were just put there and they soaked up the hospitality that we country people give people who visit an area. They were just part of the process. The ones to blame are all the members of the Bracks government. They are doing this, and they are driving it through the house today.

Some people might say to me, ‘What do you know about it? What does a bloke from the Mallee know about the high country?’. I have had a bit of an opportunity to look at it. In fact one of my very good friends is David Treasure, who was the member for Gippsland East in the other house for a number of years, so I have been able to go to the high country and see how it works. A few years ago I was able to offer my assistance to David and Jenny Treasure — I suspect in that summer I was not so much assistance; I may have been more of a hindrance — in shifting cattle up to the high plains. It was an interesting process. All the Treasure family members got together, boxed the cattle up — joined all the herds together — and took them up to the high plains.

People have said of this bill, ‘This will not affect tourism’. I refute that. My job at the time was to ride ahead of the cattle. David cheerfully provided a horse for me. I had not ridden a horse for many years, and I think I nearly injured the horse and myself too during the process. My job was to go ahead and say to the people in Dargo, ‘The cattle are coming through; make sure you are off the roads so the cattle can get through the town’. There were tourists there, and they had a wonderful time looking at the cattle, the horses and the people as they went through. It will have a tremendous effect on tourism in this area.

The Treasures are a good example, just as the Stoneys and many others are, of mountain cattlemen of whom we have heard today and yesterday. As I understand it, there are six generations of the Treasures. David’s great-grandfather was up there, and they have freehold land right at the top of the high plains. In fact he was there when the mining was on. There are six generations. There was David’s great-grandfather, his grandfather, his father, David and Jenny, their son Carl and his wife Sharon and daughter, Sarah, and David

and Jenny’s daughter, Mandy. They are all cattle people — cattlemen and cattlemen, and mountain cattlemen and cattlemen in the true sense. When you see those people on horses working the cattle in that mountain country you can understand how they know how to care for the land. Certainly they will care for the land better than the government will. I do not think it will put in the resources to ensure that that country remains in the state we see it in now. I believe we have created the right balance in the high country, with the people who understand the land, understand the animals that are there and make sure that that balance is well and truly kept.

In one of our outreach programs The Nationals talked to some of the mountain cattlemen. One of them was Jack Hicks. His son had done a wonderful job of producing some photos showing us how they care for the high country. His major concern was the fires. He said that he believes this step will lead to enormously big fires going through that area, which will cause huge damage. There is a man who is experienced in the high country, someone who understands it far more intimately than I ever will and someone who I believe should be listened to by the government — but obviously he was not. The day we were up there they were incensed about the tricked-up photos that came out of this whole process. Why would the government want to do that? Why would it want to trick up photos? If it believed in what it is doing, why would it want to get the spin doctors involved in all of that?

In the limited time I have left I want to talk about the Independents — not in this house but in the other house. I think it is a bit late for the Independent member for Gippsland East, Craig Ingram, to be crying crocodile tears now. He knew darn well what this Labor Party was going to do when he and his other Independent mates put it into power. It is too late for him now; he should have stood up and had a bit of sense before. In putting this government in I believe he betrayed his people, the people he was supposed to represent. His other Independent mate, the member for Mildura, Russell Savage, just went with the Labor flow and voted with his Labor mates, and in fact he played a part in taking these mountain cattlemen out of the high plains. Neither they nor anyone else need come complaining to me and shedding their crocodile tears. They knew what the Labor Party view was when they put it into power, so now they have to take their medicine as it comes.

This is a disastrous thing that has happened, but I think it could become worse and worse. I think about the Barmah forest — well known to my good friend and colleague Bill Baxter — and about the red gum forests

at Cohuna, Kerang and Gunbower. I would say to those people: just watch out, because this mob will have their eagle eyes on other things as well in the search for that Greens vote, which really does not take into account the things that we see — the productivity, the history — and particularly what I have taken the opportunity to see in this high country. I really enjoyed looking at that. I enjoyed learning about it, and I enjoyed knowing in my mind that the mountain cattlemen have the right balance. But that right balance will now be removed by a government which will ram this legislation through this Parliament in a week. It is a sad day indeed as we stand in this Parliament.

Ms HADDEN (Ballarat) — I rise to speak on this bill. It is indeed a sad day for country Victoria. *The Man from Snowy River* was penned by our Australian bush balladeer, Andrew Barton Paterson — Banjo Paterson, the Banjo of the Bush — and published in the *Bulletin* on 26 April 1890. You can start gagging now, Mr Smith; I heard your contribution yesterday.

There was movement at the station, for the word had passed around

That the colt from old Regret had got away,
And had joined the wild bush horses — he was worth a thousand pound,

So all the cracks had gathered to the fray.

...

And where around the Overflow the reedbeds sweep and sway

To the breezes, and the rolling plains are wide,
The man from Snowy River is a household word today,
And the stockmen tell the story of his ride.

Banjo Paterson was born at Narambla near Orange in New South Wales in 1864. He penned that bush ballad in 1890.

Guy Rundle penned a few final lines to depict *The Man from Snowy River* as it would apply now, and that was penned for the *Age* on 11 June:

But the man from Snowy River is a household name today
Cos he's the bloke who's being taken for a ride.

Yes the man from Snowy River is a household name today
And spin-doctors tell the story of his ride.

This is a heinous bill, it is a disgraceful bill, and the Bracks Labor government ought to stand up, say sorry and withdraw it. There is one place for this bill and one place for that disgraceful piece of spin — that is, the 11 pages of second-reading speech — and that is the shredder in the parliamentary library. That is where I will be doing exactly that when I have concluded my speech.

I oppose the bill. It is misnomer and misleading. It is headed 'National Parks (Alpine National Park Grazing) Bill'. That is not correct: it is actually the national parks (ban Alpine National Park grazing) bill. It should also be called the anti-country Victoria bill, because that is what it is. As for clause 6, that is the greatest load of factual nonsense that I have ever read in my life. There are no defined state runs, they have no fences and they have no numbers.

This Labor government has allowed the park to deteriorate, as it has all the parks across this state since it came to power in 1999. In fact, there is no practical alternative route, which clause 6 talks about, so there will be a total ban on cattle grazing in the alpine high country. Comparing Alpine National Park licences with state park licences is like comparing apples and oranges. But quite frankly, this government has no idea. It simply is clueless, as the Irish would say. It is anti-country Victoria, and it clearly has shown that in everything it has done in the last 2½ years since it was re-elected in 2002.

So I call on all Labor MPs, and especially the Labor country caucus MPs, to truly represent country Victorians and cross the floor when we come to vote in this chamber shortly. Oppose this bill! It is a disgrace, and it ought to be shredded, as I said.

The Bracks government's plan of social engineering has truly gone off the tracks with this bill. This government is ignoring country Victoria and is treating country communities with arrogance and contempt, just as former Premier Jeff Kennett did, and we all know what happened to him.

I have been very concerned about the Labor caucus task force on alpine grazing and its predetermined outcomes since it was set up in May last year by Minister Thwaites, the member for Albert Park and Minister for Environment in the other place. I was concerned about the task force's lack of bipartisanship: they were all Labor backbenchers.

I was concerned about their lack of expertise and lack of qualification and lack of objectivity because it was made up solely of four Labor government backbenchers: Ian Maxfield, Jenny Lindell and Tony Lupton of the other place, and Robert Mitchell of this place. There was simply no balance, so how could such a group, which equated to a Labor Party policy committee, truly and objectively investigate such an important issue as alpine grazing? I had no confidence in that Labor task force, and I expressed those very views in this place a few weeks ago during debate on public land use and management.

It is now blatantly obvious that Premier Bracks and Minister Thwaites had a predetermined outcome — all Labor people know that — and have contemptuously ignored the submissions from the Mountain Cattlemen's Association of Victoria, the alpine conservation action groups and all the other people up in the high country to establish clear guidelines on how alpine grazing could be managed in an environmentally sustainable manner into the future.

This Labor government simply does not care. It has no heart, and I have really come to the conclusion that it actually hates country Victoria, and especially the mountain cattlemen and women. It does not understand 170 years of our cultural heritage and traditions. It is quite prepared to spend around \$300 000 of taxpayers' hard-earned money on scurrilous and misleading advertisements, which started on 25 May and continue, all around the state in newspapers and on radio, supporting its skewed and factless decision at our expense.

I say shame on the Bracks Labor government. It ought to hang its head in shame and apologise to the people of Victoria. This government has lost its way. It has broken the promises it made in 1999 and 2002. It has failed to govern for all Victorians. It has failed to be open, accountable, honest and transparent. It has failed to restore democracy and accountability, unless of course you live in the ministers' city seats and sip latte. Or perhaps if you don your blue Speedos and swim down at Albert Park Beach you will be recognised and photographed, and you will not get the photographs doctored then.

I say shame on the Bracks government for consulting with earmuffs and bulldozers, and again turning its back on country Victoria, its heritage and traditions. I applaud the federal environment minister, Senator Ian Campbell, for actually taking the bull by the horns and trying to protect our heritage and conditions in this state, because this government considers country Victoria a stunt. People in country Victoria are not part of a stunt. Certainly Victoria is the place to beg, and certainly — as Simon Turner is quoted as saying — members of the state government must now know they are on the wrong horse. They are on the wrong horse all right. They were exposed by David Broadbent in the *Age* as high farce in the country.

Days before the official announcement they had actually briefed the journalists and had all the doctored photos ready, depicting scenes from *The Sound of Music*. As Mr Stoney said, the 'Alpine National Park is not for cattle' doctored photograph was in fact a silt trap at the bottom of a steep hill to protect a gully near

Charlie Lovick's hut — not a pristine bog in the Alpine National Park, as described. As for the other photos, Harry Ryder could not tell me where they were taken. To me it looked like perhaps the Wombat forest or the hills around Mount Cole and Ararat. Whoever doctored those photos, and no doubt it would have been a Labor Party consultant mate, shame on you. Hand back your money to the state of Victoria!

This is a disgraceful city-centric bill. The John Cain Labor government certainly had the intestinal fortitude to legislate and carry out its legislative promise back in 1989 to have seven-year renewable grazing licences. The Bracks government has broken that promise and it is now going to take the remaining 10 per cent of the land for cheap political gain. The Minister for Environment in the other place, Mr Thwaites, said:

Alpine grazing is a licensed activity and will continue as a licensed activity.

He made that promise in Parliament in the other place on 6 November, 2003 — another broken promise.

I call on the mountain cattlemen, and all the people in country Victoria who will be impacted upon by this stupid government's decision, to organise a campaign of mass civil disobedience. Peter Lalor did it, and he ended up as a member of Parliament in this place, representing Ballarat in 1855. He died in office, still a member of Parliament.

This is a predetermined decision by the Labor Party. On 8 December, 2004, at the Department of Sustainability and Environment caucus briefing, a briefing note — or song sheet, as I call it — headed 'Alpine grazing issue', courtesy of Minister Thwaites via his parliamentary secretary, Ms Carbines, set out in dot points what everyone was to sing. It is clear from that that it was a predetermined decision and that come autumn 2005 they were going to introduce legislation to wipe out 170 years of caring for our high country by our esteemed fellow men and women of the high country, the mountain cattlemen and women. Shame on this Bracks Labor government! It does not deserve to be in office. It has failed in every way.

A resident of my electorate, Kevin Jackson, wrote a letter that appeared in the *Ballarat Courier* on 13 June. He said:

Mr Bracks has done the thickest thing since he has been elected — not only to ban 'our' cattlemen from the high country, he appears to want to change Australian history just to suck the toes of greenies and city-centric academics, plus even insult some Independent MPs who originally got him into office.

This disregard for country people who also helped kick out Kennett and vote Bracks in will come back to bite him — badly.

Even a drover's dog could win the next ... election.

Mr Bracks, I hope you can hear that on your aeroplane. This government is quite happy to kick out the mountain cattlemen and women and let in the visitors because we cannot have the visitors stepping in cow droppings, can we? It is quite happy to pay its Labor big developer mates all the consultant fees and have them build all those village-feely warm and fuzzy things up at Dinner Plain, Mount Hotham and Falls Creek to make the area an elaborate commercial heart with all those million-dollar apartment complexes — purely for the city green vote.

I say, 'Shame on you!'. The only alpine pests that ought to be culled, as Mr Ingram, the member for Gippsland East in the other place, has called for, are the Labor Party hacks who are answerable to only their factional warlords. Each of the four Labor Party task force members were Labor Unity factional hacks beholden to the Premier of the state of Victoria. That is what I want the people of this state to know. I oppose —

The PRESIDENT — Order! The member's time has expired.

Hon. C. D. HIRSH (Silvan) — In speaking on the National Parks (Alpine National Park Grazing) Bill, I first want to comment on the Honourable Graeme Stoney's speech which I listened to carefully and with respect. His speech demonstrated his great love for and knowledge of Victoria's high country. I remember very well a great many of the occurrences to which he referred, although I saw the issue from another perspective.

I recall Mr Stoney leading a large crowd of mountain cattlemen up Bourke Street in 1984, and I remember the passion they felt and still feel for their cause. I also recall the negotiations in 1989 that led to the creation of the Alpine National Park and seven-year grazing licences. I acknowledge here the work on the one hand of the then government members, particularly former Premier Joan Kirner and former conservation minister Kay Setches — I believe they were the movers and shakers — and on the other hand, of Graeme Stoney and his colleagues.

The final version of the act which created the national park was a very good result. A lot of vision came into that negotiation, but I want to refer to Myles Dunphy who in 1935 proposed a primitive area across the Australian Alps throughout New South Wales and

Victoria as a national park, incorporating much of the wisdom of the mountain cattlemen.

I have lived in Melbourne all my adult life. I was reared in the Western District which has no mountains. Where I was there were sheep, boxthorns, grass and wind. My family and I were friends of the Davies family of Merrijig. I am not sure whether Mr Stoney knows the family, but Max was a very dear friend of mine, and we spent many great times camped there in the shearing shed at the Davies farm, as well as camping in the high country in some of the huts and in tents on weekends and during holidays. They were wonderful times. My youngest daughter developed a special friendship at the time with a lamb called Lamb. It grew into an enormous, fat sheep still called Lamb, and was never eaten. My daughter still has a fair sheep fetish.

Coming back to the bill, on a serious note, the world changes and over 15 years changes have taken place throughout the Victorian community. There is an expectation that there will be strong protection of the remaining examples of our various natural environments primarily represented in our state's national parks. A comparison between the high peaks where cattle grazing no longer occurs and the areas which are still used for grazing certainly shows the degradation and threat to the survival of rare flora and fauna in the grazed areas. The effects of the recent fires must also be taken into account, and I note this despite the arguments of the opposition.

A change in policy has occurred and cattle grazing is no longer considered appropriate in the Alpine National Park. The heavily-subsidised grazing areas available for the families who have used them for five generations will no longer be available. A parallel change is taking place in the city where, again because of changes in policy, particularly the implementation of the free trade agreement with China, many hundreds of factory workers who make car components are losing their livelihoods as business looks for cheaper production costs.

Pain and loss are not experiences unique to only some; they occur right through society. I have listened to the nostalgia and emotion expressed when talking of the destruction of culture and heritage, also expressed in the great Banjo Paterson poem *The Man from Snowy River*. I was hoping, President, that I would be allowed to recite it in full but apparently there is not enough time.

Let us be realistic about heritage and culture here. The connection of the mountain cattlemen with the Alpine National Park goes back only 170 years, which cannot be compared with the culture and heritage of the

traditional owners of the Alpine National Park which goes back many thousands of years. Two groups of the Kulin Nation, the Taungerong people and the Gunai people, are the traditional custodians of this land. In fact a great outcome — —

An honourable member interjected.

Hon. C. D. HIRSH — I find that interjection fairly disrespectful and I don't think it should be taking place. In fact a great outcome of the recent fires — —

An honourable member interjected.

Hon. C. D. HIRSH — I answer the member's question here. A great outcome of the recent fires has been the uncovering of 325 new sites showing evidence of ongoing habitation — —

Hon. G. K. Rich-Phillips — Construction?

Hon. C. D. HIRSH — No, not construction, Mr Rich-Phillips.

Ms Hadden interjected.

The PRESIDENT — Order! Ms Hadden has had her opportunity.

Ms Hadden interjected.

The PRESIDENT — Order! Ms Hadden should stop interjecting.

Hon. C. D. HIRSH — There is evidence of habitation by the traditional owners of the land. These findings have clearly proven the ongoing connection with the area of the Alpine National Park of indigenous Australians who were dispossessed of their land when Europeans took it. I understand that both groups of traditional owners support the cessation of cattle grazing in the Alpine National Park. Although I do not feel it is proper to speak on their behalf — I have informed a group of the Gunai people which has met with agreement and approval for me to say this — the elders disapprove of cattle grazing. While I feel for the loss being experienced by the families who have grazed their cattle in the high country to many years, the national park is still there. I hope they will maintain their relationship with the land as the first owners are doing. I support the bill.

House divided on omission (members in favour vote no):

Ayes, 22

Argondizzo, Ms
Broad, Ms

Madden, Mr
Mikakos, Ms

Buckingham, Ms
Carbines, Ms
Darveniza, Ms
Eren, Mr
Hilton, Mr
Hirsh, Ms
Jennings, Mr
Lenders, Mr
McQuilten, Mr

Mitchell, Mr
Nguyen, Mr (*Teller*)
Pullen, Mr
Romanes, Ms
Scheffer, Mr
Smith, Mr
Somyurek, Mr
Thomson, Ms
Viney, Mr (*Teller*)

Noes, 18

Atkinson, Mr
Baxter, Mr
Bishop, Mr
Brideson, Mr
Coote, Mrs
Dalla-Riva, Mr
Davis, Mr D. McL.
Davis, Mr P. R.
Drum, Mr (*Teller*)

Forwood, Mr
Hadden, Ms
Koch, Mr
Lovell, Ms
Olexander, Mr
Rich-Phillips, Mr
Stoney, Mr (*Teller*)
Strong, Mr
Vogels, Mr

Pair

Theophanous, Mr

Hall, Mr

Amendment negatived.

House divided on motion:

Ayes, 22

Argondizzo, Ms
Broad, Ms
Buckingham, Ms
Carbines, Ms
Darveniza, Ms (*Teller*)
Eren, Mr (*Teller*)
Hilton, Mr
Hirsh, Ms
Jennings, Mr
Lenders, Mr
McQuilten, Mr

Madden, Mr
Mikakos, Ms
Mitchell, Mr
Nguyen, Mr
Pullen, Mr
Romanes, Ms
Scheffer, Mr
Smith, Mr
Somyurek, Mr
Thomson, Ms
Viney, Mr

Noes, 18

Atkinson, Mr
Baxter, Mr
Bishop, Mr (*Teller*)
Brideson, Mr (*Teller*)
Coote, Mrs
Dalla-Riva, Mr
Davis, Mr D. McL.
Davis, Mr P. R.
Drum, Mr

Forwood, Mr
Hadden, Ms
Koch, Mr
Lovell, Ms
Olexander, Mr
Rich-Phillips, Mr
Stoney, Mr
Strong, Mr
Vogels, Mr

Pair

Theophanous, Mr

Hall, Mr

Motion agreed to.

Read second time.

Committed.

Sitting suspended 12.57 p.m. until 2.03 p.m.

*Committee***Clause 1**

Ms BROAD (Minister for Local Government) — We have had a very fulsome second-reading debate, but at the commencement of this committee stage of the bill it is important to underline the purposes of this bill as far as the government is concerned. Firstly, high country grazing will continue, just not in the Alpine National Park. In underlining the fact that high country grazing will continue, the government also wishes to draw attention to the fact that regardless of the government's decisions in relation to this bill most grazing would be excluded from the park for many years to come because of the impact of the fires. Secondly, the government wishes to underline that it believes this decision is a balanced one in terms of the environment, the cultural heritage of the high country and the interests of future generations.

As well as that, the government believes this bill will ensure that one of Victoria's most significant natural assets and very important water catchments will be protected for future generations as a result of the decisions which this bill will implement. Finally, the government wishes to again draw attention to its belief that it has supported these decisions with a very significant package of measures which will support licensees in the transition to the extent that they are impacted on by this bill. It also supports local tourism and, importantly, recognises the cultural heritage and measures to improve the park. I wish to underline those matters at the commencement of the committee stage as part of the consideration of clause 1.

Hon. PHILIP DAVIS (Gippsland) — I seek the indulgence of the Chair and the minister and indicate that I wish to make some general remarks before going specifically to seeking some clarification about particular aspects of the bill, which I think, to facilitate the committee stage, can be dealt with during consideration of clause 1. But if the minister declines to accommodate that, I will certainly pursue them during consideration of other clauses. It might be easier to get certain clarifications by way of discussion at this point. Before seeking those clarifications and assurances I wish to make some rather general remarks.

At this point I take up the minister's contribution when she said that high country grazing will continue, just not in the national park. I guess fundamentally there are two issues that are before the house. One is the overt agenda of the government to eliminate alpine grazing from the national park, and the other, which is given effect but is covert in relation to this bill, is the fact that

in reality the passage of this bill in its present form will ensure that there will be no, or at the least very little, high country grazing remaining outside the park in consequence of the way that the bill is constructed.

I will put to the chamber in some detail what it is that the government's own committee advised in relation to these matters, which in part makes clear the difficulty of implementing the commitment the minister just gave about the continuation of high country grazing, given the contiguous nature of the grazing licence areas — that is, the state forests, or what are commonly described as the bush runs, are contiguous with the national park. The reason they are contiguous is obvious. For 155 years there was no park. In 1989 a park was created, but a park is created with a fictitious line on a map. There is no natural geographical feature that marks the boundary of the park. Therefore it is impossible for the grazing activity to continue in those areas in the state forests — that is, the bush runs — that are abutting the national park unless the cattle are able to read maps or are issued with compasses.

Before I ask the minister to respond particularly to that point I would just like to take up some of the more general observations. Many people have expressed concern during the course of the debate in this Parliament and outside the Parliament about this issue and about the government's agenda to ban alpine cattle grazing.

But it has also been shown to be a litmus test for the views of country Victorians about the government. I was interested in an article, which I am not going to quote from, in the *Age* of 9 June, which was coincidental to the mountain cattlemen's rally on the steps of Parliament House. The headline was 'Has Bracks lost the bush?'. I was interested in that, and although it summarises in some considerable detail what many country people are concerned about, I am not going to go to those issues at this point unless provoked — and I am sure that nobody wants to provoke me!

However, I want to answer the question raised in the *Age* article by referring to an editorial in the *Weekly Times* of 8 June. Its headline is 'A chorus of discontent', and I will quote from two parts of it.

The sight of angry farmers protesting in the streets of Melbourne tomorrow should come as no surprise to anyone reading the *Weekly Times*.

The protest rally is primarily over the ban on grazing the Alpine National Park.

But it is also much more than that.

It will give a voice to many angry, frustrated sections of country Victoria who, quite simply, have had enough.

A further paragraph states:

The Victorian government has so far succeeded in its drive to live up to its green credentials.

But it seems to have gone unnoticed that one of the most threatened of all species in this state is the farmer.

I have read that specifically so I could take up the minister's comment a moment ago, that this is a balanced decision. It is not a balanced outcome for the people who it directly impacts upon. It is not a balanced outcome for the rural communities who are impacted by it. It is not about a balanced outcome for the small rural towns like Benambra, Omeo and Ensay, which to a large extent depend on the mountain cattle grazing industry. Indeed, for anybody who is at all familiar with the cattle industry in Victoria, one of the highlights of every year is the mountain calf sales. It is going to be pretty hard for even the most elastic-viewed marketers to design a promotional campaign to promote the mountain cattle calf sales when we do not have any mountain cattle grazing any more. For heaven's sake, this is not a balanced outcome — it is another action on the part of the government which removes a significant level of local economic, but importantly social, activity.

In the context of the balance, I want to quote this passage:

The problem for the cattlemen was that they were the only regular, visible human presence in the high country, and had been for generations: ipso facto, anything that was deemed to be wrong, any damage, real or imagined, had to be their fault.

Botanists and geographers made names for themselves, earned doctorates and accolades with learned papers and reports, many of which blamed either the cattle or the cattlemen or both. All evidence to the contrary was totally unacceptable. To give credence to the fact that grazing helped to prevent wildfire and erosion and kept the mountain bushland clean would throw a whole tradition of academic theorising out of kilter.

The bigotry prevails to this day.

For many of us from country Victoria, and those with a particular interest in the eastern highlands, that could have been written yesterday, but in fact it was written in 1987 in a book that was first published by William Collins Pty Ltd, Sydney 1987, which talked about the revolt of the mountain cattlemen. It is titled *Movement at the Station* and was written by Bryan Jameson. That passage is relevant in the context of the minister's remarks about a balanced outcome.

Notwithstanding what our own views are in this place, it is the fact that to people in country Victoria who are

looking at the consequence of what this bill seeks to achieve, which is to change forever a practice which has been in place for 170 years, it is outrageous. In speaking to clause 1, I am not going to allude to the fact that the opposition is going to call a division on clause 1. That would be simply a nonsense. I am making the point that we do not believe the purpose of this bill is appropriate. I wanted to further — in referring to the minister's opening comments about environmental balance and his statement that 'we will ensure that our natural asset is protected' — refer to a further document which is of some relevance and read a very short extract from it:

An enduring cultural image in Australian history is that of the cattleman, mounted on his horse in the high country, wearing a Driza-Bone and Akubra, pictured against the romantic backdrop of the mountains.

That is interesting, but I will read this, which puts it in a slightly different context:

From the 1970s popular views of conservation have increasingly embraced the idea of 'wilderness', resulting in the development of the Nooramunga Marine and Coastal Park. Environmental management issues are complex for Parks Victoria as European traditions, mostly associated with grazing and government policies over the past 160 years, have impacted on the island. Tensions over issues of land use, the place of introduced species and recreational activities on the island continue to this day. Parks Victoria, the Snake Island Cattlemen's Association and local conservationists are working together to protect the environment on Snake Island, and in this sometimes uneasy alliance lies an assurance for the future.

That book from which I have just read by Cheryl Glowrey is called *Snake Island and the Cattlemen of the Sea*. To many people in this place it may be a revelation that it is not just in the mountains that cattle grazing occurs. Many people would have heard of the Barmah cattlemen, but I think very few in this place would know anything about Snake Island and grazing cattle on Snake Island, which has equally the same historical legacy and proud tradition which the mountain cattlemen hold.

My point of raising that as an issue is demonstrable by its very nature — that the behaviour focus towards the vilification of the mountain cattlemen is something that is untenable, that the issues that are relevant to the mountain cattlemen in terms of an accommodation about balanced environmental outcomes are relevant all over the state in regard to a lot of traditional land use practice which has developed essentially on the basis of experience of the original inhabitants of our land, the Aborigines. There have been many cultural practices which have been adopted, and I note that the Aboriginal owners, if you like, of the mountains, being people who

had a clear understanding about the nature in which the land needed to be managed, had a view about fire — and I will talk to that in a moment as part of the balance that the minister raises.

What is the balance between the ecology — between the natural state of things — and a contemporary set of management regimes? We are out of kilter with the traditions of managing the high country. It is clear that the Aboriginal communities support high-country grazing. Indeed Russell Mullet, whom I know reasonably well, is an Aboriginal elder in the Omeo–Benambra area, and he has expressed previously his support for grazing. There are many others who have that view. But it is about the management of our land, and I would like to refer specifically to the question of how we manage these things in balance.

I quote specifically from a book titled *Cattlemen of the High Country* by Tor Holth, and I might make the point that he is not a mountain cattleman. This guy is of Norwegian descent, born in China and a keen rock climber, skier, mountaineer and rider, and he is also an artist. He has taken a fairly objective view and has written:

As Aborigines are believed to have similarly done, mountain cattlemen frequently lit fires as they rode home from the high country in autumn in order to promote a ‘cool burn’ down the spurs. The trees were not damaged but the forest floor was cleared of dead wood and scrub and sprouted with wild flowers and fresh grass. Regular autumn clearing of scrub along the spurs by fire was also found to be a protection against a major bushfire. The prevention of this practice in the early 1920s by the Forest Commission resulted in a build-up of dead scrub and timber in the mountains and contributed to Black Friday, 13 January 1939, when the state of Victoria was like an inferno and many mountain cattlemen suffered severe losses of stock.

That book was written in the early 1980s and the author had not heard about the 2003 fires which burnt 1.3 million hectares of our high country.

The reality is that there is a complete imbalance in the way our national parks, state forests and Crown land is being managed. It is the minister’s government that is responsible for the devastation that was brought upon our mountain farming communities. I make the point right now that many of those communities feel significantly disadvantaged and abandoned as a result of the fires in 2003, and the expression of concern about that in my mind is summed up specifically in a contribution to a book which was published 18 months ago, *Flames Across the Mountains*, which is a personal account of the Bogong, Razorback and Pinnibar fires. The fires were in February 2003 and the book was published in East Gippsland in December of last year.

Hon. E. G. Stoney — Who launched it?

Hon. PHILIP DAVIS — I was invited to do the launch, Mr Stoney.

Hon. E. G. Stoney — I am surprised you didn’t go.

Hon. Andrea Coote — He was here.

Hon. PHILIP DAVIS — I was humbled to be invited to do the launch.

I want to read only one extract from this book — the title to the piece written by John, otherwise known by most of us as Buff, Rogers. That title, which summarises the feelings of most of the people who were affected by those alpine fires, is *The Day We Were Left to Burn*. It was not just being left to burn on that day; it was being left after the fire without support. What we are seeing today in this house with respect to the Victorian government repudiating a legislative commitment which was made by a previous Labor government in 1989 is what country Victorians are seeing repeatedly, and frankly they are so disappointed that they are far beyond being disillusioned any more.

I welcome debate. After all, that is what I have actively participated in for at least 30 years of my adult life both formally and informally through the processes of Parliament, political parties and representative organisations. To have an informed debate one must understand that people come to it with different perspectives, different backgrounds and different experience, so I have looked to people who do not have exactly the same background as I do. In the book *Cattlemen and Huts of the High Plains* there is a foreword by Harry Stephenson written on 23 February 1980. Harry Stephenson was a bushwalker. He was very active in Rover Scouts and the Melbourne Walking Club and with a small group of Collins Street bushmen, friends he had tramped the bush with for dozens of years.

He recalls his own experience. It is a wonderful book, because it describes well a lot of the background to the issues and the interesting history of the families and the family huts. I do not want to go into that detail at this point, but he says in the conclusion of his preface:

The ‘winds of change’ are still blowing across the mountains, and they carry a chill that was not present before. The winds are fanned by forces striving to remove the cattle from the lush snow plains, and it would be presumptuous for me to express an opinion on the validity of their case. A bushwalker is, after all, only an observer who passes briefly across the mountain scene. And it may well be that I was a poor observer. The cattlemen I met were friendly people and for this reason alone I would be sorry to see them go, but the

decision should be left to experts, of whom I believe there are all too few.

That is about the most instructive thing that I have seen in relation to this whole debate. Nothing has changed since 1980. There are a whole lot of self-appointed opinionated experts who are telling us that the practice, which has enabled the Alpine National Park to exist in its present form, is damaging the park — notwithstanding the practice that has been in place for 170 years — and that seems to me, as a practical man of the land, to be a complete nonsense. The expert committee established by the government to inquire into this matter is hardly full of people who could claim with any justification to know a great deal about the detail of this issue.

Before I conclude these rather general remarks and get to a particular issue which I want to raise specifically, I will further quote from Bryan Jameson's book, *Movement at the Station — The Revolt of the Mountain Cattlemen*, because I want to indicate that while I do not think the Parliament has within it experts on this issue at large, I do think it has one, and we have all heard from him in the course of this debate. I am proud to say that the Honourable Graeme Stoney is my friend. I am proud to say that I knew Graeme Stoney by reputation and was intimidated by his reputation, I must confess, many years ago, as indeed I knew of the reputation of many cattlemen. It was Graeme Stoney, in particular, who I stood in awe of because Graeme Stoney in terms of age was almost a contemporary of mine when I was fortunate to be bushwalking in the mountains around the Howqua and Jamieson valleys. As I have said before in this place, the first time I saw Graeme he was on horseback. He was the archetypal mountain cattleman, and it was as I came around the corner of one of the walking tracks up the Howqua Valley in 1968 when I had the good fortune to be at Timbertop.

But it was not Graeme Stoney alone I stood in awe of in terms of reputation. There were many others. All of my life I have known various members of the Treasure family, some of them only by reputation. The Treasure family in terms of alpine grazing in Gippsland have an enormous reputation for their contribution to the community. My late father was very close to Freda and Jack Treasure. Freda became Freda Ryder. My wife, Elizabeth, is a close friend of Christa Mitchell, formerly Christa Treasure. I was really impressed by her daughter, Lyric, who spoke so well at the rally last Thursday. I was impressed by all of these people because of their commitment to the high country.

I wish to conclude in observing how I value the personal integrity and commitment to our community of the mountain cattlemen by saying this: in what is called the hepilogue — that is tongue in cheek, meaning epilogue — for that book *Movement at the Station*, Bryan Jameson says:

To find Graeme Stoney on stage speaking of cattlemen's wrongs ... how they must fight to save the way of life in the high country — how they would fight, and how they'd bloody win.

The air is suddenly charged with enormous excitement and energy. A great roar goes up from the mountain men. A fighting people! Hardy and daring! If Stoney had called at that moment for them to mount and ride through the darkness, breakneck down the mountains to storm the house of Parliament ... they would have leapt into the saddle without a second's hesitation.

If I were the trump in Spring Street, I'd keep an eye on the mountain men. I'd keep an eye on Graeme Stoney, also. He might decide to take up politics in earnest.

That was written in 1987, and foresight is a wonderful thing. Graeme, by his persistent and diligent advocacy of the cause which is the reason that he is here in Parliament today, has done his community proud, his family proud and he has made an enormous contribution to public policy debate in Victoria.

I would like to come back now specifically to the issue where we started, which was the minister's comment that high grazing will continue, but just not in the national park. I have to say I just cannot believe this. We have seen the complete repudiation of, I guess, logic for the express purpose of trying to justify some sort of philosophical zealot mission. I will refer specifically now to the *Report of the Investigation into the Future of Cattle Grazing in the Alpine National Park* prepared by the alpine grazing task force, which members of this place will be assured to find on the Parks Victoria web site. I would like to refer to three specific sections. Page 12, paragraph 1.7 states:

It —

meaning the task force —

did not examine grazing in state forest in the high country outside the Alpine National Park.

That is what the task force says, and yet the minister stands up here and says to us that grazing in the high country will continue, but just not in the national park. The government's own committee of inquiry failed to even examine the issue, so how can the minister come into this place and so misrepresent the facts as to put it to us that alpine grazing will continue outside the park?

It is just a farce. I further quote from page 17, paragraph 2.18, which states:

Many of the state forest grazing licence areas are contiguous with licence areas in the national park, having been a single licence area before the park was created.

Further I refer to page 18, paragraph 2.19, which states:

A maximum of 7914 adult equivalent ... cattle are licensed to graze in the Alpine National Park. Licences issued for state forest in the high country in the general vicinity of the park allow about 10 000 cattle to graze, including about 4000 cattle under licences which include areas above 1220 metres.

National park licensees also hold licences to graze about 6000 (of the 10 000) cattle in state forest.

Will the minister advise the house what the total number of licensed adult equivalents is in the eastern highlands of Victoria outside the Alpine National Park?

Ms BROAD (Minister for Local Government) — Many of the matters raised by the Leader of the Opposition were well canvassed in the second-reading debate, and I do not propose to go over them again beyond the statements I made at the commencement of the committee stage. However, I want to make a number of points. Firstly, I want to particularly reject the accusation the Leader of the Opposition has made in relation to vilification. The government believes that it has gone out of its way to respect all points of view in considering these matters. The government rejects any notion that it has been responsible for vilifying anyone and in particular vilifying graziers. That is not what the government has done, and I totally reject that accusation.

The second matter I want to totally reject is the accusation the Leader of the Opposition made in relation to the fires and their aftermath. As a member of the ministerial task force appointed by the government following the fires to work on managing the immediate response to the emergency and then working to deal with the actions necessary over a long period of time, working with local councils and shires and with many community organisations as well as many affected land and lease-holders, I know it is not in any way, shape or form accurate to say that the government has not acted in relation to those fires, let alone to suggest that people have been abandoned and left to their own resources. I totally refute that accusation.

The Leader of the Opposition has raised a number of other matters. I will seek a response to the specific matter that he raised at the end. In relation to the matter of licences which about the national park, does the Leader of the Opposition wish to deal with that now or in relation to clause 6?

Hon. PHILIP DAVIS (Gippsland) — I thank the minister, and I appreciate her cooperation in this respect. I would like to deal with the issue of abutting licences because that is the residual issue which is most significant to the cattlemen. However, before I do so I will respond to the minister's comments in relation to vilification.

The CHAIR — Order! As the Chair of Committees I remind the Leader of the Opposition that the committee stage is for consideration in detail of a bill, clause by clause. Clause 1 is the purposes clause, and it is possible to make a number of general remarks and canvass any proposals for further consideration in detail of particular clauses during the committee stage.

I remind the Leader of the Opposition of a ruling I made in September of last year during debate on the Water Industry (Environmental Contributions) Bill, that the intention of clause 1 is not to reinvent the second-reading debate. I have given the Leader of the Opposition considerable latitude by allowing him half an hour — three times the amount of time he used in the second-reading debate — to make some general remarks. It would be my preference that we cease the general remarks and move on and consider the bill clause by clause at this stage.

Hon. PHILIP DAVIS — Thank you, Chair, for your guidance. I am quite happy to accede to your request to do that, but I take this opportunity to briefly respond to the comment about vilification.

The CHAIR — Order! I will allow that and the minister's answer, and then we will move on.

Hon. PHILIP DAVIS — Let us put the issue of vilification in another way. If any government were to make a public policy decision that focused on a small minority group in our community, whether they be a migrant group or indeed an indigenous group, and to advance that policy proposal, to win a political debate about that policy initiative, it spent hundreds of thousands of dollars of taxpayers money with misrepresentation — which the government acknowledged by changing the way the advertising was running — then quite properly that vilification would be condemned by the community.

The fact that the cattlemen have been caught up in a political agenda of the government and vilified with taxpayer-funded advertising is a complete disgrace. I cannot imagine it would happen to the Aboriginal community or to any small migrant community; why would it happen to mountain cattlemen? The minister may say the government has not vilified the mountain cattlemen. It is certainly the cattlemen's belief, my

belief and the belief of most people in country Victoria. I will not pursue the issue further.

Ms CARBINES (Geelong) — I too would like to spend some time speaking about clause 1 which outlines the purpose of the bill. The Leader of the Opposition begged the house's indulgence and the minister's indulgence at the start of his contribution. I would like to respond on behalf of the government.

The government has made a very balanced decision in relation to the contentious issue of cattle grazing in the sensitive alpine environment. It is a decision that has not been taken lightly; it is a decision that has been taken after much and lengthy consideration based on science and based on the comprehensive work undertaken by the alpine grazing task force. Very disappointingly, we have heard during this debate members of the opposition seeking to vilify members of the alpine grazing task force, and I was particularly disappointed yesterday to hear the contribution of the Honourable Andrew Brideson. I was disappointed because I have always had a lot of regard for — —

Hon. Bill Forwood interjected.

The CHAIR — Order! Mr Forwood!

Ms CARBINES — I have had a lot of regard for Mr Brideson. I think he let himself down badly yesterday by personalising the debate. I certainly want to pay my respects to the work that the alpine grazing task force has undertaken not just on behalf of the government but on behalf of all Victorians. It was very important work. It was work that was not easy. The task force was appointed in May last year and it worked assiduously over the next year taking — —

Ms Hadden — On a point of order, Chair, I would refer you to your previous ruling in relation to sitting down Mr Davis, the opposition leader. I think the gist of your ruling was that this is not an opportunity to add to one's second-reading contribution. I would say to you, Chair, that Ms Carbines is harking right down that path of giving herself extra time to contribute in the way of a second-reading debate. This is a committee stage, and I would ask you to call her back to the clause.

The CHAIR — Order! I do not appreciate Ms Hadden's reflection on the Chair. I did not sit Mr Davis down; I gave him half an hour to speak on the purposes clause, which is more than most committee debates allow for. The purposes clause is one where, as I have said previously, there can be general remarks. Ms Carbines, like any other member of this house in the committee stage, is drawing upon her right to rise to her

feet and make a contribution under the general purposes clause. She indicated that she wished to do that. I do not uphold Ms Hadden's point of order, and I invite Ms Carbines to continue to speak on the general purposes clause. I ask her to keep that in mind; the clause is about the purposes of the bill, and I ask her to keep her points relevant to that.

Ms CARBINES — Thank you very much, Chair. The task force did work assiduously. It took over 3500 submissions, which submissions have been used to inform the Minister for Environment in the other place, John Thwaites, in the other place and the government in relation to options presented to Minister Thwaites concerning whether cattle grazing should be allowed to continue in the sensitive alpine environment. I certainly acknowledge their hard work.

It was not just a submission-taking process. The task force met with some 85 groups and individuals throughout the state, and took advice from key stakeholders such as the mountain cattlemen and the Victorian National Parks Association.

We have also heard this afternoon questions about the scientific analysis and advice provided to the government. We have heard the Leader of the Opposition question the very competency of that scientific advice, and indeed the scientists who have provided that advice. I would like to advise the house of the scientists who have made up the expert scientific advisory panel and who have provided the advice earlier this year to Parks Victoria in relation to monitoring the recovery of the areas burnt by the wildfires of 2003 in north-east Victoria.

The panel was chaired by Professor Nancy Millis from the University of Melbourne, also the chancellor of La Trobe University. It included four other eminent scientists. It behoves me to ensure that their reputation is not sullied by accusations made by those opposite. We had on the panel Dr Graham Harris, the former chief of the Commonwealth Scientific and Industrial Research Organisation's land and water division and an adjunct professor at Charles Sturt University; Professor David Kemp, foundation chair in farming systems at the University of Sydney; Professor Jamie Kirkpatrick, head of the school of geography and environmental studies at the University of Tasmania, and Dr Dick Williams, the principal research scientist at CSIRO's sustainable ecosystems.

That scientific advisory panel provided advice to Parks Victoria and of course to Minister Thwaites and the government and all Victorians. Their conclusions were basically that grazing should not be returned to the

Alpine National Park for at least 10 years. Why have they concluded that? They have concluded that because the sensitive alpine environment, after the fires, could not hope to regenerate if cattle were allowed back in the alpine environment.

Particular advice was provided to the task force by two Australian government departments. We had advice from the Australian Heritage Council. Its submission, which was written by Mr Tom Harley, the chairman of the council, clearly stated that the alpine grazing is incompatible — —

Hon. Philip Davis — On a point of order, Chair, I am happy to indulge the member, but she may not be aware that all of this has been read in the second-reading debate, that this is not new information. If we run out of time in which to deal with the matters which are important to the cattlemen today, we will be seeking to report progress and adjourn the bill to another time. If we cannot deal with the issues, then it will be on your head.

The CHAIR — Order! Discussion on the purposes clause in a committee debate is an opportunity to make general remarks on a bill. As I said last September in a ruling on such a matter, it is not about reinventing the second-reading debate. A lot of information has been put forward on both sides of this argument over many hours of debate. The minister is ready with an answer to a question that the Honourable Philip Davis raised earlier. I ask Ms Carbines to conclude her general remarks on the purposes clause.

Ms CARBINES — I remind the committee that we indulged the Leader of the Opposition extensively at the start of this debate. I would like to take issue with the Leader of the Opposition's accusation that the mountain cattlemen have been vilified. Government members — —

Ms Hadden interjected.

The CHAIR — Order! Ms Hadden!

Ms CARBINES — During this debate government members have spoken with much consideration and respect of their contribution. I do not accept that accusation. This afternoon we have heard from the Leader of the Opposition that the government is betraying country Victoria. We do not accept that accusation at all. It is an absolute nonsense. It is obviously a banner under which the opposition is going to attempt to claw back some votes in country Victoria. The reality is that this government has taken a courageous decision.

It was summed up this morning in the *Age* in a letter from Dr Henrik Wahren from the Centre for Applied Alpine Ecology, La Trobe University, Bundoora, under the headline 'Time to face up to the real effects of cattle grazing'. I will conclude with a small quote from the letter:

... after more than 60 years of scientific research, with monotonously repetitive findings showing the detrimental effects of cattle grazing on the water catchment, biodiversity and conservation values of the Alpine National Park, we finally got a government brave enough to do the right thing. Well done!

Ms BROAD (Minister for Local Government) — In responding with the information that the Leader of the Opposition has sought, I observe that the committee stage of the bill is not in fact a question-and-answer session. It is also an opportunity for members to make statements, and that is perfectly reasonable as far as I am concerned.

In relation to the information that the Leader of the Opposition has sought regarding grazing licences, I am advised that there are about 150 state forest grazing licences in the high country in the general vicinity of the park, and that those 150 state forest grazing licences allow about 10 000 head of cattle to graze. That compares to around a maximum of 8000 adult head of cattle currently allowed in the park areas. Cattlemen who have grazing licences for the park also have licences to graze nearly 6000 of the 10 000 head of cattle outside the park. So more than half the grazing operations in the park have grazing licences for state forests and will therefore be able to continue to graze cattle in the high country outside the park areas. I believe that is the information the member sought.

Hon. PHILIP DAVIS (Gippsland) — Yes. I am starting to get focused on what the issue is. My question was: how many cattle are licensed to graze in the Eastern Highlands? The minister's response was in effect that 10 000 cattle are licensed to graze in state forests outside the national park. I am not clear that is what the minister said, but I understand that is what she meant, and that she is suggesting that of the mountain cattlemen who are licensed to graze in the park, they hold licences to graze 6000 cattle. Is that correct?

Ms BROAD (Minister for Local Government) — That is correct.

Hon. PHILIP DAVIS (Gippsland) — I go to the part of the report I referred to earlier that says:

... including about 4000 cattle under licences which include areas of above 1200 metres.

These are obviously the licences that are contiguous or relate to the alpine park, because the cattle not within licences for areas over 1220 metres are obviously under bush licences for areas well away from the park, even though the licences may well be held by cattlemen who have a licence for the park and a licence for areas elsewhere. So the government's report identifies licences for 4000 cattle that relate specifically to the abutment to the national park; is that correct?

Ms BROAD (Minister for Local Government) — In response to the Leader of the Opposition, I will seek clarification on that, but I firstly wish to add to the information I provided a moment ago by indicating that if you take a larger area of the Central Highlands, then there are certainly more licences, which allows a greater number of head of cattle to graze. The reference to 150 licences allowing around 10 000 head of cattle to graze is in relation to the areas surrounding the park, but not all abutting the park. In relation to the clarification as to whether the 4000 head of cattle are all in areas abutting the park, I will seek clarification on that. I am advised that in relation to the 4000 head of cattle which the Leader of the Opposition has referred to, not all the licences abut park areas or, to put it another way, are contiguous with the park.

Hon. PHILIP DAVIS (Gippsland) — Sometimes one wonders whether we could not designate advisers as temporary members of Parliament so we could get to the answers quicker in terms of the procedures we must follow. I am interested specifically in how many cattle will be affected by the fact of the contiguous nature of the licences.

As I understand it, in reality there are two issues here. One is that, notwithstanding the total licensed number of cattle — whether it is 8000 in the park or 10 000 bush licences — it would be extremely unusual for all of those allowable licensed cattle to be taken up in any season. In fact, the cattlemen manage their grazing licences as such that, like any sensible farming practice, you stock according to the season. Clearly it would be, in most circumstances, a very small number — as we know, during last summer only 800 of the 8000 allowed in the national park were actually grazed. That needs to be taken on board.

But to go to the 4000 cattle which are at the alpine level, because I would argue that any cattle that are being referred to as grazing 'high' — what is the word, what are they saying? High country?

Ms Broad — High country grazing.

Hon. PHILIP DAVIS — I would not have thought that cattle that are grazing below 1200 metres are in the high country at all. So what the minister is really talking about is 6000 cattle perhaps being grazed in state forests, but somewhere else and nothing to do with high country grazing whatever. So it is clear from the information provided by the minister that there are not 10 000 cattle, as was purported in the press releases and advertisements of the government — —

Hon. E. G. Stoney — And in debate.

Hon. PHILIP DAVIS — And in debate — to be continuing to graze in the high country; the minister has just confirmed it is 4000. And of those 4000 cattle that would remain specifically on the bush licences, is it not true that the licences will be inoperable — that is, the cattlemen will have to vacate those licences — where they are contiguous with their current alpine park licence? I am talking, as I said in my earlier comments, of the bush licence that was simply the original licence divided in two.

There was a bush licence, which had a line drawn through it because the park was created; so suddenly you had a park licence and a bush licence. They are contiguous, there are no geographical formations that differentiate between the two. Is it not true that the cattle licensed in the abutting state forest would have to be, in effect, excluded from those areas, given the reality that there is a penalty, in effect, if the cattle stray into the park?

Ms BROAD (Minister for Local Government) — In response to Mr Davis I think this is taking us really to a point which was also raised in the Assembly and was the subject of an amendment moved to clause 6. It is about the future conduct of grazing in state forest areas.

The important thing for me to do at this point is to refer to the statements made by the Minister for Environment when these matters were canvassed in the Legislative Assembly. In relation to these issues the minister said he wished to confirm that the Department of Sustainability and Environment and Parks Victoria are committed to working cooperatively with grazing licensees to develop and implement stock containment plans in exactly the circumstances that Mr Davis is referring to — that is, where licences abut the park.

In his remarks the minister acknowledged that there will be occasions when, despite the best endeavours of licensees, stock will go into park areas and the approach which the government and its agencies the Department of Sustainability and Environment and Parks Victoria intend to take is to seek reasonable cooperation. They

are confident that that will be achieved in managing those circumstances. However, it is also the case that where, despite best endeavours, stock do end up in park areas it is important that those stock are retrieved, and it will be the responsibility of licensees to take action to retrieve those stock.

The CHAIR — Order! We are getting into some of the detail of the bill and the opposition's amendment.

Hon. PHILIP DAVIS (Gippsland) — I am not ready to move on yet.

The CHAIR — Order! Mr Davis is not ready to move on?

Hon. PHILIP DAVIS — No, we have not even started! This is quite important, and as you rightly say, Chair, we are canvassing some detail of particular clauses which come later. I flag an amendment which will perhaps deal with some of these aspects. But we need to understand some facts in terms of the way this bill will operate.

I think it is now agreed that there are not 10 000 cattle galloping around the edge of the park, as it were. In fact, the minister's response makes it clear that we are talking about 4000 cattle that are prospectively on land close or adjacent to — not necessarily abutting — the park, and it is clear that some of those cattle will be on licences which do abut the park. What I am trying to clarify is the numbers. Does the government know how many of the cattle included in the 4000 are on licences that actually abut the park and how many licensees that affects? Is that information available?

Ms BROAD (Minister for Local Government) — I think there has been some interpretation of what I have said previously in this committee stage, so I should go over it again. What I have indicated is that there are around 150 grazing licences which provide an entitlement to 10 000 head of cattle. It is acknowledged that currently several areas of state forest in the vicinity of the park are unlicensed and licences may well be under-allocated. So that number of head of cattle is an entitlement under those grazing licences, not a head count of numbers of cattle. It is important to clarify that.

In relation to the 4000 number which Mr Davis referred to, that information was provided in relation to particular areas that Mr Davis was seeking information about. It was clarified that whilst those areas are in the vicinity of the park they are not all contiguous with the boundaries of the park. Again, that 4000 is in relation to licences which provide that entitlement, not an actual head count. But if Mr Davis would like me to seek further information I am happy to do so.

Hon. PHILIP DAVIS (Gippsland) — That has helped illuminate exactly what the position is. The minister has indicated that 4000 cattle are eligible to be included in licences in that close proximity to the park, which we are referring to and which the government's report refers to as being above 1200 metres. We know there are not actually 4000 cattle because, for practical reasons, that does not occur because of stocking rates and, indeed, a lot of the vegetation within those runs is not suitable to accommodate the stock numbers.

However, it does not get me to the point that I am trying to get to: to be advised by the government, if this bill is passed by this house how many of those 4000 cattle allocated to licences — but not necessarily actually grazing — will effectively be impacted by the fact of the alpine grazing runs abutting with the bush runs? In effect we want to know how many cattle and licensees will be directly affected by the difficulty of being able to contain their stock.

Ms BROAD (Minister for Local Government) — I can advise Mr Davis that the advice to me is that a reasonable proportion of those licensees will be affected because the areas which are licensed abut the national park. I am also advised that as part of the process for working through this issue it is expected that there will be a case-by-case assessment of how licensees are affected, in order to work with them to deal with these issues. I can undertake that when that information is accurately available as a result of those case-by-case assessments, the government will be more than willing to provide it.

Hon. PHILIP DAVIS (Gippsland) — The minister is being very helpful. Let me acknowledge that before I go any further because, frankly, given that the government has indicated its clear intent to push this legislation through, and if it were to be pushed through today there would be no ability to deal with these fundamental issues for the remaining cattlemen who will be directly affected, the minister has confirmed that of the 4000 allocated cattle-grazing licences above 1200 metres, a reasonable number will be affected. I guess that means a lot. It is certainly the advice I have been given by the cattlemen and it is certainly the discussion which came out of a meeting the cattlemen had at Dinner Plain, as I recall, about two weeks ago. The fundamental issue raised at that meeting was that it is logistically impossible to vacate the alpine park without impacting on the bush runs and the bush licensed areas, because those are the one run with simply two different licences, and have been ever since the park was created.

The minister has confirmed that a lot of them will be affected, and the cattlemen themselves have an estimate. Clearly the department has no estimate. It is surprising, given that Parks Victoria and the department will be obliged to enforce this, that they do not have an accurate assessment now. The Parliament is being asked to pass legislation without knowing what the impact is. The government has been advertising, putting out press releases, making statements, speaking in debate and talking about 10 000 cattle. Today the minister has confirmed that it is 4000, and of those 4000 we have now confirmed that a lot of them are not going to be able to continue because of the contiguous nature of the licences.

The truth is that the government has no idea what the impact will be on individuals. At this point I would like to know whether the government is prepared to commit to compensate those cattlemen who have to vacate their forest licences as well as their alpine park licences as a result of this legislation. I will give the minister a moment to think about it and look at her briefing notes. The government has put in place a compensatory regime for cattlemen who are going to be excluded from the park. But the government now confirms that although cattlemen are legally entitled to continue to graze in the bush runs, because of the contiguous nature of the state forests they will be affected. The cattlemen know that they will not be able to put cattle into those bush runs because of the possibility of their going into the park. I will provide some case studies. Charlie Lovick advises me that he has 65 head of cattle licensed to be in the park. He has 225 head licensed for his bush run, which is contiguous —

Hon. E. G. Stoney — It is the same run.

Hon. PHILIP DAVIS — It is the same run. I should not say a bush run and a park run — they are the one run. They always were the one run until two licences were created. So in effect he is being advised that as a result of this legislation he will have to exclude 65 cattle from the park, but what the department and Parks Victoria have not understood is that also effectively means that he will have to vacate his bush licence because they are contiguous and the cattle, not having a map and a compass, will not really be able to be well controlled. I am also advised that there is a 20-kilometre to 30-kilometre boundary between those two licensed areas. There is no bottom access. The cattle would have to be moved up the Howqua and over the Bluff into the Jamieson Valley and up onto the bush run. Given that, the reality is that Charlie Lovick is going to be excluded from his bush run as well. Now the question is: will there be compensation for that?

The late Jim Commins, whom I served with as a representative in the Victorian Farmers Federation, is a former president of the Mountain Cattlemen's Association of Victoria. He was an outstanding man and, as the Honourable Graeme Stoney said, it is just a terrible shame he is not with us to fight this battle today. But Chris Commins tells me that the Commins family would lose 100 cattle. Is there going to be any compensation for that family?

The most appalling situation that I have heard of is that of Tom Groggin station, where the manager, Trevor Davies, advises that there are 475 cattle to be excluded from the park and 75 from the bush. While it would be nice to think that he could graze the bush, I understand that the bush-licensed area is completely surrounded by the park and therefore, again, it would be totally impractical for his cattle to graze in that bush run without prospectively venturing into the park. These several case studies illustrate the fact that it does not appear that Parks Victoria and the department have done the necessary work to be able to inform the government as to how all this will affect the cattlemen.

Ms BROAD (Minister for Local Government) — I think it is worth coming back to the numbers again, which Mr Davis is keen to keep referring to, and to reiterate that we are talking about around 10 000 head of cattle able to graze in the high country under grazing licences. Yes, that country includes areas of high and lower elevations, just as the park itself does, so this distinction which is being drawn based on metres of elevation is an arbitrary one which clearly does not assist in working through these issues in saying that areas of lower elevation in forest areas do not count.

Clearly they have counted in the past, and this distinction was not made when grazing licences in the Alpine National Park were nominated for national heritage listing, for example, so lower levels of elevation were included in the park areas, just as the government believes they should be in areas adjacent to the park. That is why the government believes it is legitimate to come back to that number of 10 000 head of cattle.

The Leader of the Opposition is assuming that it is not going to be practical, and he has produced particular case studies to support his argument that it will not be practical to work out stock containment plans with licensees to keep cattle out of the park. The government's view is that it wishes Parks Victoria and the Department of Sustainability and Environment to work cooperatively with licensees to develop practical stock management plans. It is the case that there are some differences between licences in the park which

refer specifically, as I am advised, to limitations on head of cattle whereas licences in forest areas in the vicinity of the park are in terms of areas, not necessarily in terms of head of cattle. In working out plans with licensees who have licences which currently overlap forest and park areas, the government believes it is important that there is the opportunity for DSE and Parks Victoria to work with the licensees to accommodate the cattle currently licensed to be in park areas.

It believes it can work through practical stock management plans to ensure that the required number of cattle can continue to graze in the high country. The government is not accepting the point which the Leader of the Opposition is seeking to make, that this cannot be done and as a result this should not be accepted as part of this bill.

Hon. PHILIP DAVIS (Gippsland) — If this were not so serious it would be funny. I cannot believe the government and its advisers in the department and Parks Victoria are so impractical that they cannot understand that livestock do not have the wit that even some backbenchers of the Labor Party might have. It is a farce that before introducing this bill the government has not given consideration to these fundamental questions about what the consequences for cattlemen will be in the event that the bill passes, those grazing runs are impacted and the cattlemen cannot effectively stock them. The only reality is that at the end of the day the bottom line is that the government, through the department, will cancel the licences if the cattle are not contained. The government has not given consideration to that, and it is introducing legislation without regard for those consequences. There is no plan.

The government is 'hoping' — I think that was the word the minister used — to work through stock containment plans. When you have 20 kilometres or 30 kilometres of contiguous bush it is doubtful that even with the best will in the world, and even with effective fencing, that you could keep the cattle out. The reality is that in that environment there are tree falls all the time. What the minister has said is nonsense, frankly, and she should go back to her advisers and get a better answer from them. We have a situation where the minister is offering cattlemen nothing.

We have a situation here where the minister is offering cattlemen nothing. By the government's own admission, a large number of the licensees will be impacted by this. What the minister is saying is that we are going to have lots of discussion, but at the end of the day it is a matter for the cattlemen to keep their cattle out of the park. The cattlemen acknowledge that.

But if they cannot do this, what is the action that the government will take to compensate them? I have heard nothing other than there will be no compensation. Is that what I am hearing? There will be no consideration by the government of the fact that these people, as a result of government policy, are going to be deprived of not only their livelihoods with respect to their park entitlement, but also to their state forest entitlement, without compensation. This is nearly as bad — it is as bad — as the cancellation of the Mallacoota fisherman's licence and him having no recourse to compensation through the courts. The minister is at least consistent. Could the minister give me some response about compensation?

Ms BROAD (Minister for Local Government) — The government is not accepting the presumption that the Leader of the Opposition is making, that it will be necessary to cancel forest licences or that it will be necessary for graziers to vacate those licence areas. The government is committed to working with affected grazing licence-holders to assist them in terms of their stock containment plans and in relation to areas which are currently unlicensed, which it will assess on a case-by-case basis where there is a need to accommodate cattle. That assessment can only be done on a case-by-case basis, and the government intends to do that entirely cooperatively. So the presumption that the Leader of the Opposition is making is not one that the government accepts.

Hon. E. G. STONEY (Central Highlands) — I will be very brief. Let us take the hypothesis that the cattlemen do work with the government; they work hard with the government to see if it works and they run their forest leases as they did their alpine leases — and they do this for a couple of years. It proves to be impossible and the government cannot find alternate areas for them, and they are forced to leave their state forest licence and walk away. After exploring and extinguishing every opportunity to find alternatives, will the government then compensate them, because obviously it is as a direct result of this bill?

Ms BROAD (Minister for Local Government) — In response, Mr Stoney is leading a whole series of hypothetical assertions which the government does not accept. It believes that it has already taken some steps to assist affected licence-holders directly through measures attached to this bill, and the government will absolutely follow through on those forms of assistance, which, I might say, are a good deal more than in some instances under the former government where people were affected by decisions and not supported with any form of assistance, let alone structural adjustment.

The short answer to Mr Stoney is that the government does not accept all of those hypothetical statements. It believes that the measures attached to this bill in terms of assistance, taken together with a commitment to work with affected licence-holders to develop practical workable plans in order to accommodate the head of stock which they are grazing, will be perfectly adequate to ensure that this is done in a reasonable way.

Hon. PHILIP DAVIS (Gippsland) — I might try another tack. What about buffer zones? Has the government considered either an approach to realigning the park boundary to allow for the geographical features to assist cattle containment with respect to forest licences, or might there be an opportunity to look at the issue of buffer zones within the alpine park so that the park exclusion does not impact on the licensees?

Ms BROAD (Minister for Local Government) — I was not previously aware that the opposition was actually proposing that the boundaries of the Alpine National Park should be changed, but I am happy to seek a response to the member's question.

Hon. PHILIP DAVIS (Gippsland) — I am asking the minister whether the government has considered these matters in the context of the need for the government, as the minister has indicated, to work with the cattlemen in finding measures to contain cattle. If the minister is telling me that the government has not considered any matters in relation to the stock containment arrangements, realigning park boundaries and buffer zones, I would be surprised. Surely the minister's advisers have had some discussion about what the options might be for the containment of stock. Can the minister advise the house if there has been any consideration?

Ms BROAD (Minister for Local Government) — I can advise the member that the government does not have any proposals to change the boundaries of the Alpine National Park. I will seek further information in relation to the other matters that he has raised. I can further advise Mr Davis that I am advised that the government does not believe buffer zones are necessary or appropriate. Further, I advise that the Mountain Cattlemen's Association of Victoria has proposed in its submission that there could be some consideration given to droving in relation to the management of stock. That is a suggestion that has been made by the mountain cattlemen's association, but the government is not proposing buffer zones.

Hon. PHILIP DAVIS (Gippsland) — I will return to this particular issue when we deal with clause

6 when I will move an amendment. The amendment could be circulated at any time. In relation to a separate issue concerning huts and other improvements, I would like some brief clarification on the status of cattlemen's huts that exist under the current licence arrangements. Cattlemen have a lot of family association with their huts. Some have been there for generations and it is a real personal connection with the high country. Under the arrangements entered into in 1989 the cattlemen have, if you like, a prior right of use in that the hut is available to the cattlemen and their families to use. I am interested to know what the status of the cattlemen's huts will be in the future. Will that prior right of use continue? Will the cattlemen have control of the huts or will they revert to the control of Parks Victoria? What will be the nature of the maintenance and continuity of those huts?

I might make the observation as somebody who has had the benefit of camping in a number of them over the years that most people who have an association with the high country would say it is a jolly good thing they are there and they would not like to see them dismantled for any reason. But more to the point: the cattlemen will have a long-term and no doubt family connection which will go on to further generations. Will they have control of those huts as they have done? What is the plan by Parks Victoria about maintaining or removing them?

Ms BROAD (Minister for Local Government) — In response, as someone who has also taken advantage of these structures, I can advise Mr Davis that they are very important and have an important cultural heritage which the government recognises. I am advised that the ongoing protection and maintenance of heritage structures, including the cattlemen's huts, are regarded by Parks Victoria as a key aspect of park management. There are a number of organisations that play important roles in assisting with that responsibility. In recognition of that the government has allocated some funding to assist with the conservation of historic huts in the high country.

I am advised that Parks Victoria has overall responsibility for the huts as the land manager in the Alpine National Park. The government's approach is that it wants to work with the Mountain Cattlemen's Association of Victoria and others in the maintenance of the huts. That could include having responsibility for maintaining particular huts but it does not include or allow for exclusive use by any particular group or organisation in terms of access to huts.

Hon. PHILIP DAVIS (Gippsland) — That was misunderstood, if the minister is implying that I was

asking about exclusive use. There has always been a prior right of use — that is, the priority of use of the hut has been given to the cattlemen. When they have needed it, they have had access to it. Frankly if somebody else has been occupying it, they have been entitled to leave in favour of giving the cattlemen occupancy on that occasion.

Hon. Bill Forwood — It has happened to all of us.

Hon. PHILIP DAVIS — Yes. The cattlemen are not camping in those huts 365 days of the year. They are there just from time to time. But what I want to know is will those arrangements that are in place continue? For example, I have been the beneficiary of camping in a number of huts including Lovicks Hut, as I know my colleague the Honourable Bill Forwood would have done when he was walking a similar circuitous route but probably a year or two ahead of me.

My question really goes to the guts of the issue of what it is that is going to be preserved for the cattlemen in relation to their tenure and rights in respect to the huts as continuing structures. In the event, what is their liability and obligation if Parks Victoria requests them to remove those huts?

Ms BROAD (Minister for Local Government) — I can advise Mr Davis firstly and importantly that there are no plans to remove huts, and therefore the question of liability does not arise. In relation to the question of prior rights and the particular arrangements which currently apply, I am advised that those prior rights were a result of the grazing licences which will not continue in the park areas. In relation to areas outside of the park and the huts in the forest grazing licence areas, I am advised that the department will work with licence-holders on a case-by-case basis.

Hon. PHILIP DAVIS (Gippsland) — The minister's response will be extremely disheartening to the cattlemen who have invested thousands, if not hundreds of thousands, of man-hours in maintaining those huts for the benefit of the whole community over the years. I ask rhetorically: who will make that investment now? We know in this place and we know in country Victoria that Parks Victoria will not. If the government is expunging the prior rights of occupancy of those cattlemen, it would hardly be fair to expect them to maintain those huts for generations to come. Clearly they will deteriorate. Frankly, Parks Victoria is so incompetent in its stewardship of the public land which is entrusted to it that the land is overrun with feral animals and weeds already, and one cannot expect the huts to survive.

Ms BROAD (Minister for Local Government) — I can reaffirm for Mr Davis's benefit that as far as the government is concerned the protection and maintenance of huts is a key aspect of park management, and the government intends that that will continue into the future.

Hon. E. G. STONEY (Central Highlands) — At least one cattleman is also a tourist operator, and part of the tourism licence is that they have a prior right over their hut. This hut is in the process of being rebuilt. Will this operator be allowed to rebuild his hut, and will he retain the prior right for his tourism business?

Ms BROAD (Minister for Local Government) — I ask Mr Stoney to name the hut.

Hon. E. G. STONEY (Central Highlands) — It is Lovicks Hut. The Lovicks have permission to rebuild it. The stumps are in, but the roof is not on, and the snows have come. They have permission to do this, and they have a prior right for their tourism business as well as for their cattle business. The minister has said they have lost the prior right as far as the cattle are concerned, but they are still running a tourism business with a prior right to that hut. What is their legal position?

Ms BROAD (Minister for Local Government) — I can advise Mr Stoney that there is no question that the works on Lovicks Hut will be able to continue and be completed. To the extent that there is an entitlement in relation to a tourism operation, that will not be affected by the changes which are being made here with this bill in relation to grazing licences. That is a separate arrangement and to the extent that it is a legal arrangement it will not be affected by this bill.

Hon. E. G. STONEY (Central Highlands) — We will have situations where a cattleman's hut is situated in the alpine park, and — it may be a long shot — they may still be able to operate a forest lease nearby. Will the cattlemen be allowed to come out to their hut in the Alpine National Park with their dogs and their gear and operate their forest lease based at their hut in the alpine park?

Ms BROAD (Minister for Local Government) — Could I ask Mr Stoney to perhaps give me some further information about what particular aspect of this he is seeking an assurance about?

Hon. E. G. STONEY (Central Highlands) — Obviously, once the cattlemen are kicked out of the alpine park they will not be able to take their dogs. You have to have dogs to muster. The cattlemen may spend all day on their forest lease and then come home at night with their horses, dogs and chaff to camp in the

Alpine National Park. What will be the legal situation with their dogs, for example, and just generally in being able to use their hut and have a prior right on their hut because of their forest lease?

Ms BROAD (Minister for Local Government) — In response to Mr Stoney, I think in this committee stage I have already addressed the question of the prior right, but I will seek further information in relation to dogs. Also in response to Mr Stoney, I am advised in relation to the specific circumstances he has outlined that it is a matter the government would be willing to examine, and it would be considered on a case-by-case basis.

Hon. PHILIP DAVIS (Gippsland) — I am extremely frustrated by the issue of time, and I am not going to take any more of the committee's time on clause 1. But for the record I want to say that it has been the intention of the opposition to go through the bill clause by clause, to speak on each of the clauses progressively and to raise questions. The responses from the minister clearly indicate that the government, the department and the advisers have not done the appropriate work that was needed to be done before this bill was brought to this house. I feel some sympathy for the minister being unable to answer what are fairly fundamental questions about what will come out as a consequence of the operation of this bill. The fact is that we understand that we have no choice and that at 4 o'clock, whatever we like to say, unless the government wants to change its business program and adjourn the debate, we will simply be out of time and will not have had the opportunity — if I continue to go through the clauses now — to deal with even our amendments.

It is an absolute tragedy that these matters cannot be properly drawn out in the Parliament of Victoria in a way that would give some satisfaction in terms of advice to the people who are affected by this. Clearly that advice is not presently available. It is my opinion that the government should amend the government business program, take this bill out of it and come back and consider it at the next sitting. Parliament should resume next week to deal with it, but obviously that is not going to happen because that is not the way that this government is prepared to operate.

In any event I will say nothing further on this clause. I indicate that the opposition wishes to move speedily to clause 6 so that we can consider our amendments.

Clause agreed to; clauses 2 to 5 agreed to.

Clause 6

Hon. PHILIP DAVIS (Gippsland) — Obviously there are two particular aspects to amendment 2, which has been circulated, but they are interrelated. Substantially amendment 2 seeks to make the change described in it. I therefore move:

1. Clause 6, page 3, line 20, omit 'park.' and insert "park."
2. Clause 6, page 3, line 20, after this line insert —
 - (4) A person who is grazing cattle on Crown land that abuts the park described in Part 37 of Schedule Two under a licence to do so is deemed not to have committed an offence under this Act or any regulations made under this Act if the cattle stray into the park from that land, if the person has taken all reasonable steps to ensure that the cattle do not so stray."

In speaking to the amendments, I simply say that we have canvassed this issue widely. The issue is that the grazing runs, whether they be in the park or in the bush, are contiguous. There are two separate licences. The effect of cancelling the alpine grazing licence clearly has an implication — a knock-on effect, if you like — for the bush runs, and it will be, frankly, absolutely inevitable that in respect to bush runs there will be cattle straying from time to time. There is no farmer who has ever handled livestock who does not know that livestock wander. It is just simply impossible. At the moment it is clear that the only penalty that seems to be available for cattle straying from this state forest grazing area is the cancellation or threat of cancellation of that licence. So it would be appropriate in respect of this bill to include a provision which in effect would forgive cattlemen from the occasional stray wanderings of animals that do not have, as I say, even the wit of a Labor Party backbencher.

Hon. E. G. STONEY (Central Highlands) — The reason the amendments have been moved is that the attitude of Parks Victoria staff in the last few years has hardened towards cattlemen to the point where they are keeping dossiers on every cattleman. They are issuing them with warning notices if cattle are even found on the stock route on the way to the lease a couple of days behind the main herd. They are issuing warnings if the cattle get through a fence into the next-door run — an adjacent run just through the fence. Run-holders do not mind that, because that is what happens with cattle. We have got to the point where all these petty offences are being put into dossiers. We have a hardening of the attitude of Parks Victoria. The government has promised faithfully that there will be strong cooperation between the government, Parks Victoria and the landowners if the cattle do stray, but we need a tighter

assurance in legislation that this will occur and that the culture that is developing of getting stuck into the cattlemen changes to one of cooperation.

Hon. W. R. BAXTER (North Eastern) — I want to indicate the support of The Nationals to the amendments for the very reasons that have been outlined by Mr Davis and Mr Stoney. Clearly, if the government is genuine it ought to accept the amendments. Yesterday we heard assurances from government backbenchers and from the minister today that this government respects the mountain cattlemen, appreciates the contribution they have made to the state of Victoria and intends and wishes cattle grazing to continue outside the national park on the bush leases. Not to accept these very modest amendments would undermine the government's assurances and make us even more suspicious of its intentions.

Ms BROAD (Minister for Local Government) — In response on the amendments, the government does not support them, as it did not in the lower house. The government is intending to proceed on the basis of a cooperative approach to this working with licensees. However, at the end of the day the government believes it is important that if stock do end up in park areas, there should be an obligation on licence-holders to remove those stock. The effect of the amendments moved by the opposition is that there would be no obligation on licence-holders to remove stock. The government believes that is a serious oversight and for that reason does not support the amendments.

Hon. PHILIP DAVIS (Gippsland) — I would like to make a concluding comment on this. The minister has made it clear that the government has no plan to deal with the consequences of its own legislation impacting on people who, through no fault of their own, are going to be placed in an untenable position in respect of being outside the park. Quite clearly, because no compensation is going to be offered to cattlemen who have to abandon their state forest leases, it would not be unreasonable where a person who has taken all reasonable steps to ensure that cattle do not stray should not be deemed to have committed an offence. Anybody in country Victoria, anybody who has ever understood anything about animals would know that animals are creatures with their own will. You cannot blame a farmer or individual livestock owner for the wayward straying of animals from time to time, providing they have been using their best endeavours to contain them. I have to say to the minister that this just shows the lack of compassion on the part of her government.

The CHAIR — Order! In relation to Mr Davis's amendment 1, which is a test for his amendment 2, the

question is that the words proposed to be omitted stand part of the clause.

Committee divided on omission (members in favour vote no):

Ayes, 21

Argondizzo, Ms	Madden, Mr
Broad, Ms	Mikakos, Ms
Buckingham, Ms	Mitchell, Mr
Carbines, Ms (<i>Teller</i>)	Nguyen, Mr (<i>Teller</i>)
Darveniza, Ms	Pullen, Mr
Eren, Mr	Scheffer, Mr
Hilton, Mr	Smith, Mr
Hirsh, Ms	Somyurek, Mr
Jennings, Mr	Theophanous, Mr
Lenders, Mr	Viney, Mr
McQuilten, Mr	

Noes, 19

Atkinson, Mr	Forwood, Mr
Baxter, Mr	Hadden, Ms
Bishop, Mr (<i>Teller</i>)	Koch, Mr
Bowden, Mr	Lovell, Ms
Brideson, Mr	Olexander, Mr
Coote, Mrs	Rich-Phillips, Mr
Dalla-Riva, Mr	Stoney, Mr
Davis, Mr D. McL.	Strong, Mr (<i>Teller</i>)
Davis, Mr P. R.	Vogels, Mr
Drum, Mr	

Pair

Thomson, Ms	Hall, Mr
-------------	----------

Amendment negatived.

Business interrupted pursuant to sessional orders.

The CHAIR — Order! The question is:

That clauses 6 to 12 be agreed to and that I report the bill to the house without amendment.

Committee divided on question:

Ayes, 21

Argondizzo, Ms	Mikakos, Ms
Broad, Ms	Mitchell, Mr
Buckingham, Ms	Nguyen, Mr
Carbines, Ms	Pullen, Mr
Darveniza, Ms	Scheffer, Mr (<i>Teller</i>)
Eren, Mr	Smith, Mr (<i>Teller</i>)
Hilton, Mr	Somyurek, Mr
Hirsh, Ms	Theophanous, Mr
Jennings, Mr	Thomson, Ms
McQuilten, Mr	Viney, Mr
Madden, Mr	

Noes, 19

Atkinson, Mr	Forwood, Mr
Baxter, Mr	Hadden, Ms
Bishop, Mr	Koch, Mr (<i>Teller</i>)
Bowden, Mr	Lovell, Ms (<i>Teller</i>)
Brideson, Mr	Olexander, Mr

Coote, Mrs	Rich-Phillips, Mr
Dalla-Riva, Mr	Stoney, Mr
Davis, Mr D. McL.	Strong, Mr
Davis, Mr P. R.	Vogels, Mr
Drum, Mr	

Pair

Lenders, Mr	Hall, Mr
-------------	----------

Question agreed to.**Clauses 6 to 12 agreed to.****Reported to house without amendment.**

The PRESIDENT — Order! The question is:

That the report be now adopted, that the bill be now read a third time and that the bill do pass.

House divided on question:*Ayes, 22*

Argondizzo, Ms	Mikakos, Ms
Broad, Ms	Mitchell, Mr
Buckingham, Ms	Nguyen, Mr
Carbines, Ms (<i>Teller</i>)	Pullen, Mr
Darveniza, Ms	Romanes, Ms
Eren, Mr	Scheffer, Mr
Hilton, Mr (<i>Teller</i>)	Smith, Mr
Hirsh, Ms	Somyurek, Mr
Jennings, Mr	Theophanous, Mr
McQuilten, Mr	Thomson, Ms
Madden, Mr	Viney, Mr

Noes, 19

Atkinson, Mr	Forwood, Mr
Baxter, Mr	Hadden, Ms
Bishop, Mr	Koch, Mr
Bowden, Mr	Lovell, Ms
Brideson, Mr	Olexander, Mr
Coote, Mrs	Rich-Phillips, Mr
Dalla-Riva, Mr (<i>Teller</i>)	Stoney, Mr
Davis, Mr D. McL.	Strong, Mr (<i>Teller</i>)
Davis, Mr P. R.	Vogels, Mr
Drum, Mr	

Pair

Lenders, Mr	Hall, Mr
-------------	----------

Question agreed to.**Report adopted.***Third reading***Read third time.***Remaining stages***Passed remaining stages.**

House adjourned 4.11 p.m. until Tuesday, 19 July.

LABOR'S LAND TAX CHANGES**2004 - 2006**

2004		2005		2006		% TAX CHANGE 2004-2006
VALUE	TAX	VALUE	TAX (AFTER REBATE)	VALUE	TAX	
\$ 694,000 →	\$ 1,749	\$ 833,000 →	\$ 2,655	\$ 1,000,000 →	\$ 3,680	110.4%
\$ 1,042,000 →	\$ 6,959	\$ 1,250,000 →	\$ 8,905	\$ 1,500,000 →	\$ 10,230	47.0%
\$ 1,389,000 →	\$ 16,124	\$ 1,667,000 →	\$ 17,993	\$ 2,000,000 →	\$ 20,580	27.6%
\$ 3,472,000 →	\$ 93,491	\$ 4,167,000 →	\$ 100,118	\$ 5,000,000 →	\$ 116,830	25.0%

- The above table shows changes to land tax for properties that have had increases in valuation of 20 per cent per annum between 2004 and 2006 land tax.
- According to the Valuer-General's official land tax indexation factors for 2005, 49 out of 80 municipal areas across Victoria (counting Docklands separately), have had average valuation increases of 20 per cent or more, amounting to a 44 per cent or greater increase over two years.
- Valuations for 2004 land tax are based on land values as at 1 January 2002, while valuations for 2006 land tax are based on land values as at 1 January 2004. For 2005 land tax, valuations are determined by multiplying the 2002 valuation by the official indexation factor for the municipality in which the property is based.

QUESTIONS ON NOTICE

*Answers to the following questions on notice were circulated on the date shown.
Questions have been incorporated from the notice paper of the Legislative Council.
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
The portfolio of the minister answering the question on notice starts each heading.*

Tuesday, 14 June 2005

Corrections: Fulham Correctional Centre — education programs

1363. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to education programs at Fulham Correctional Centre:

- (c) What are the details of the specific performance measures for innovative strategies that provide employment options.
- (d) How successful have these innovative strategies that provide employment options been.

ANSWER:

I am advised that:

- (c) The Correctional Services Employment Pilot Program (CSEPP) has the following specific performance measures;
 - Number of prisoners and offenders registered on the employment pilot;
 - Number of prisoners and offenders that received an employment placement on the employment pilot; and
 - Number of prisoners and offenders that had an employment outcome on the employment pilot.
- (d) As prisoners move regularly between prisons, placement outcomes for individual prison locations cannot be identified. However, as at 30 November 2003, 1393 offenders (including prisoners) were registered for the CSEPP program, 198 offenders had received an employment placement and 195 offenders had achieved an employment outcome (ie been in full-time work for 13 weeks or more) since the introduction of the program in June 2002.

Corrections: Dame Phyllis Frost Centre — education programs

1364. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to education programs at Dame Phyllis Frost Centre:

- (c) What are the details of the specific performance measures for innovative strategies that provide employment options.
- (d) How successful have these innovative strategies that provide employment options been.

ANSWER:

I am advised that:

- (c) The Correctional Services Employment Pilot Program (CSEPP) has the following specific performance measures;
 - Number of prisoners and offenders registered on the employment pilot;

- Number of prisoners and offenders that received an employment placement on the employment pilot; and
 - Number of prisoners and offenders that had an employment outcome on the employment pilot.
- (d) As prisoners move regularly between prisons, placement outcomes for individual prison locations cannot be identified. However, as at 30 November 2003, 1393 offenders (including prisoners) were registered for the CSEPP program, 198 offenders had received an employment placement and 195 offenders had achieved an employment outcome (ie been in full-time work for 13 weeks or more) since the introduction of the program in June 2002.

Corrections: Port Phillip Prison — education programs

1365. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to education programs at Port Phillip Prison:

- (c) What are the details of the specific performance measures for innovative strategies that provide employment options.
- (d) How successful have these innovative strategies that provide employment options been.

ANSWER:

I am advised that:

- (c) The Correctional Services Employment Pilot Program (CSEPP) has the following specific performance measures;
 - Number of prisoners and offenders registered on the employment pilot;
 - Number of prisoners and offenders that received an employment placement on the employment pilot; and
 - Number of prisoners and offenders that had an employment outcome on the employment pilot.
- (d) As prisoners move regularly between prisons, placement outcomes for individual prison locations cannot be identified. However, as at 30 November 2003, 1393 offenders (including prisoners) were registered for the CSEPP program, 198 offenders had received an employment placement and 195 offenders had achieved an employment outcome (ie been in full-time work for 13 weeks or more) since the introduction of the program in June 2002.

Police and emergency services: traffic offences — fines

3299. THE HON. PHILIP DAVIS— To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): What was the cost of the fines in October 1999 for — (i) jaywalking; (ii) failing to give way to a pedestrian; (iii) failing to give way while making a U-turn; (iv) failing to stop and remain stationary at a children’s crossing; (v) passing a stopped tram; (vi) failing to stop or give way at a level crossing; (vii) driving on the wrong side of a divided road; (viii) failing to keep as far left as practicable; (ix) increase in speed while being overtaken; (x) driving in the wrong direction on a one-way road; (xi) failure to obey traffic lights; (xii) drink driving with a blood alcohol level of .05 to .07; (xiii) drink driving with a blood alcohol level above .07; (xiv) failure to display L plates when required; and (xv) failure to display P plates when required, and what is their current cost.

ANSWER:

I am informed as follows:

Summary - Level / Rate of Fines

Offence	October 1999 \$	Current 2005 \$
(i) jaywalking	15.00	51.00
(ii) failing to give way to a pedestrian	165.00	169.00
(iii) failing to give way while making a u-turn	165.00	169.00
(iv) failing to stop and remain stationary at a children's crossing	165.00	169.00
(v) passing a stopped tram	165.00	169.00
(vi) failing to stop or give way at a level crossing	165.00	169.00
(vii) driving on the wrong side of a divided road	165.00	169.00
(viii) failing to keep as far left as practicable	105.00	107.00
(ix) increase in speed while being overtaken	165.00	169.00
(x) driving in the wrong direction on a one-way road	165.00	169.00
(xi) failure to obey traffic lights	165.00	205.00
(xii) drink driving with a blood alcohol level of .05 to .07	300.00	307.00
(xiii) drink driving with a blood alcohol level above .07 (to .10)	300.00	307.00
(xiv) failure to display L plates when required	105.00	107.00
(xv) failure to display P plates when required	105.00	107.00

I note that this question has previously been asked by the same member under Question 3268 using the words "level/rate" instead of "cost". These terms have been interpreted as having the same meaning and therefore an identical response has been provided in the table above for Question 3299.

Police and emergency services: Victims of Crime Assistance Tribunal — interstate and overseas travel

4139. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to interstate and overseas travel by the members and staff of the Victims of Crime Assistance Tribunal in 2003-04:

- (1) How many trips were undertaken.
- (2) What costs were associated with the travel.

ANSWER:

I am informed that:

As the Attorney-General has responsibility for the Victims of Crime Assistance Tribunal, you need to address your question to that Minister.

Premier: Haystac Public Affairs Pty Ltd — payments

4371. THE HON. GRAEME STONEY — To ask the Minister for Finance (for the Premier):

- (1) What payments have been made to Haystac Public Affairs Pty Ltd by the Premier's department or private office or agency or statutory body under the Premier's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) What are the details of the project for which payment was made.

ANSWER:

I am informed that, with reference to Haystac Public Affairs Pty Ltd, the answers to the questions are:

- (1) Nil
- (2) Not Applicable
- (3) Not Applicable

Major projects: Haystac Public Affairs Pty Ltd — payments

4379. THE HON. GRAEME STONEY — To ask the Minister for Local Government (for the Minister for Major Projects):

- (1) What payments have been made to Haystac Public Affairs Pty Ltd by the Minister's department or private office or agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) What are the details of the project for which payment was made.

ANSWER:

As at the date the question was raised, the answer is :

- (1) Major Projects Victoria, my office, agency or statutory body under my administration made no payment to Haystac Public Affairs Pty Ltd since 26 August 2003.
- (2) N/A
- (3) N/A

Major projects: Shannon's Way Pty Ltd — payments

4420. THE HON. GRAEME STONEY — To ask the Minister for Local Government (for the Minister for Major Projects):

- (1) What payments have been made to Shannon's Way Pty Ltd by the Minister's department or private office or agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) What are the details of the project for which payment was made.

ANSWER:

As at the date the question was raised, the answer is :

- (1) Major Projects Victoria, my office, agency or statutory body under my administration made no payment to Shannon's Way Pty Ltd since 28 October 2003.
- (2) N/A
- (3) N/A

Major projects: Social Shift Pty Ltd — payments

4460. THE HON. GRAEME STONEY — To ask the Minister for Local Government (for the Minister for Major Projects):

- (1) What payments have been made to Social Shift Pty Ltd by the Minister's department or private office or agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) What are the details of the project for which payment was made.

ANSWER:

As at the date the question was raised, the answer is :

- (1) Major Projects Victoria, my office, agency or statutory body under my administration made no payment to Social Shift Pty Ltd since 26 August 2003.
- (2) N/A
- (3) N/A

Corrections: home detention program

4580. THE HON RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison and in relation to Home Detention Programs from 1 May 2004 to 31 May 2004:

- (1) What was the total number of prisoners undertaking the Program.
- (2) What was the total number of female prisoners undertaking the Program.
- (3) What was the total number of male prisoners undertaking the Program.

ANSWER:

I am advised that:

- (1) A total of thirteen prisoners were undertaking the Home Detention Program during some or all of May 2004.
- (2) A total of two female prisoners were undertaking the Home Detention Program; one from the Dame Phyllis Frost Centre and one from HM Prison Tarrengower.
- (3) A total of eleven male prisoners were undertaking the Home Detention Program; one from HM Prison Ararat, six from HM Prison Dhurringile, three from HM Prison Won Wron and one from the Fulham Correctional Centre.

Aboriginal affairs: Aboriginal Affairs Victoria — advertising and credit card expenditure

4718. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Aboriginal Affairs: In relation to Aboriginal Affairs Victoria within the People and Community Advocacy Division of the Department for Victorian Communities:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

- (1) Advertising expenditure for the period 1 July 2003 to 30 June 2004 was \$45,850.93.
- (2) Credit card expenditure for the period 1 July 2003 to 30 June 2004 was \$100,463.78.

Commonwealth Games: Melbourne 2006 Commonwealth Games Pty Ltd — advertising and credit card expenditure

4732. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Commonwealth Games: In relation to the Melbourne 2006 Commonwealth Games Pty Ltd:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

Expenditures incurred in the 2003-04 financial year in relation to Melbourne 2006 Commonwealth Games Pty Ltd include:

1. Total Advertising Expenditure (1 July 2003 – 4 November 2003) (Melbourne 2006 Commonwealth Games Pty Ltd)	\$29,376
Total Advertising Expenditure (5 November 2003 – 30 June 2004) (Melbourne 2006 Commonwealth Games Corporation)	\$102,496
Total	\$131,872

This includes EOI advertising undertaken directly by M2006 and recruitment advertising recharged by recruitment agencies to M2006.

2. Total Credit Card Expenditure (1 July 2003 – 4 November 2003)	Nil
Total Credit Card Expenditure (5 November 2003 – 30 June 2004)	Nil

M2006 does not operate corporate credit cards

Agriculture: Australian Food Industry Science Centre — advertising and credit card expenditure

4770. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Australian Food Industry Science Centre:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Australian Food Industry Science Centre:

- (1) Advertising expenditure for 2003-04 was \$8,928.00.
- (2) Credit card expenditure for 2003-04 was \$1,159,740.00.

Agriculture: Melbourne Market Authority — advertising and credit card expenditure

4771. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Melbourne Market Authority:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Melbourne Market Authority:

- (1) Advertising expenditure for 2003-04 was \$58,656.49.
- (2) There was no credit card expenditure for 2003-04.

Agriculture: Fisheries Co-Management Council and fisheries committees — advertising and credit card expenditure

4772. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Fisheries Co-Management Council and Fisheries Committees:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Fisheries Co-Management Council and Fisheries Committees:

- (1) The advertising expenditure for 2003-04 was \$436.00.
- (2) The credit card expenditure for 2003-04 was \$10,082.32.

Housing: Office of Housing — decommissioned properties

4812. THE HON. WENDY LOVELL — To ask the Minister for Housing: How many properties currently owned by the Office of Housing have been decommissioned.

ANSWER:

I am informed that the Office Of Housing has decommissioned 46 properties from 24 March 2005 to 19 May 2005 and an estimated 65 Properties are to be decommissioned from 20 May 2005 to 30 June 2005.

Consumer affairs: Business Licensing Authority — advertising and credit card expenditure

4813. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs: In relation to the Business Licensing Authority:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Business Licensing Authority:

- (1) The advertising expenditure of the Business Licensing Authority is included as part of Consumer Affairs Victoria's expenditure in its financial record system and cannot be easily determined. Accordingly, I am of the opinion that to answer the question would be an unreasonable diversion of my Department's resources.
- (2) The credit card expenditure in 2003-04 was nil as the Authority does not have a credit card.

Consumer affairs: Coordinating Council on Control of Liquor Abuse — advertising and credit card expenditure

4814. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs: In relation to the Coordinating Council on Control of Liquor Abuse:

- (1) What was the advertising expenditure in 2003-04,
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Coordinating Council on Control of Liquor Abuse:

- (1) The advertising expenditure of the Coordinating Council on Control of Liquor Abuse is included as part of Consumer Affairs Victoria's expenditure in its financial record system and cannot be easily determined. Accordingly, I am of the opinion that to answer the question would be an unreasonable diversion of my Department's resources.
- (2) The credit card expenditure in 2003-04 was nil as the Council does not have a credit card.

Consumer affairs: Defence Reserves Re-Employment Board — advertising and credit card expenditure

4815. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs: In relation to the Defence Reserves Re-Employment Board:

- (1) What was the advertising expenditure in 2003-04.

- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

The Premier is the responsible Minister for the Defence Reserves Re-Employment Board. Accordingly, you should refer your question to the Premier.

Consumer affairs: Estate Agents Council — advertising and credit card expenditure

4816. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs: In relation to the Estate Agents Council:

- (1) What was the advertising expenditure in 2003-04.
 (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Estate Agents Council:

- (1) The advertising expenditure of the Estate Agents Council is included as part of Consumer Affairs Victoria's expenditure in its financial record system and cannot be easily determined. Accordingly, I am of the opinion that to answer the question would be an unreasonable diversion of my Department's resources.
 (2) The credit card expenditure in 2003-04 was nil as the Council does not have a credit card.

Consumer affairs: Motor Car Traders Guarantee Fund Claims Committee — advertising and credit card expenditure

4817. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs: In relation to the Motor Car Traders Guarantee Fund Claims Committee:

- (1) What was the advertising expenditure in 2003-04.
 (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Motor Car Traders Guarantee Fund Claims Committee:

- (1) The advertising expenditure of the Motor Car Traders Guarantee Fund Claims Committee is included as part of Consumer Affairs Victoria's expenditure in its financial record system and cannot be easily determined. Accordingly, I am of the opinion that to answer the question would be an unreasonable diversion of my Department's resources.
 (2) The credit card expenditure in 2003-04 was nil as the Committee does not have a credit card.

Consumer affairs: Patriotic Funds Council — advertising and credit card expenditure

4818. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs: In relation to the Patriotic Funds Council:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

The Premier is the responsible Minister for the Patriotic Funds Council. Accordingly, you should refer your question to the Premier.

Consumer affairs: Prostitution Control Act Advisory Committee — advertising and credit card expenditure

4819. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs: In relation to the Prostitution Control Act Advisory Committee:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Prostitution Control Act Advisory Committee:

- (1) The advertising expenditure of the Prostitution Control Act Advisory Committee is included in Consumer Affairs Victoria's expenditure in its financial record system and cannot be easily determined. Accordingly, I am of the opinion that to answer the question would be an unreasonable diversion of my Department's resources.
- (2) The credit card expenditure in 2003-04 was nil as the Committee does not have a credit card.

Consumer affairs: Residential Tenancies Bond Authority — advertising and credit card expenditure

4820. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs: In relation to the Residential Tenancies Bond Authority:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Residential Tenancies Bond Authority:

- (1) The advertising expenditure in 2003-04 was \$1240.
- (2) The credit card expenditure in 2003-04 was nil as the Authority does not have a credit card.

Consumer affairs: Consumer Affairs Victoria — advertising and credit card expenditure

4821. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs: In relation to the Department of Consumer Affairs Victoria:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to Consumer Affairs Victoria:

- (1) The advertising expenditure in 2003-04 was \$525,147. This total consists of staff vacancies, mandatory notices and general advertising.
- (2) The credit card expenditure in 2003-04 was \$93,023. This expenditure complies with the Victorian Government's guidelines.

Aged care: elder abuse project — adult protective services unit

4834. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: In relation to the Elder Abuse Prevention Project, does the Government plan to establish an Adult Protective Services Unit; if not, why.

ANSWER:

I am informed that:

The Elder Abuse Prevention Project is expected to report to the Government by the end of 2005. The Government will consider all options presented to it at that time.

Aged care: elder abuse project — advisory group for the elder abuse prevention project

4837. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: In relation to the Advisory Group for the Elder Abuse Prevention Project:

- (1) How many people will be in the Group.
- (2) How will members be selected.
- (3) When will selection occur.
- (4) When will names be announced.
- (5) When will the Group commence to meet.
- (6) What are the Key Performance Indicators.
- (7) What guidelines have been set down for the Group.

ANSWER:

I am informed as follows:

- (1) There will be thirteen members of the Elder Abuse Prevention Project Advisory Group.

(2) Members will be nominated by their respective organisations, except for the chair of the Advisory Group whom I appointed. Organisations invited to submit nominees were:

- The Ministerial Advisory Council of Senior Victorians
- The Office of the Public Advocate
- Victorian Community Council Against Violence
- Council on the Ageing (Vic)
- Alzheimer's Association of Victoria
- Residential Care Rights
- The Carers Association Victoria
- Victoria Police
- Royal District Nursing Service
- Australian Society for Geriatric Medicine
- Victorian Association of Health and Extended Care
- Employee/Union Representation.

(3) Invitations to organisations were sent on 28 April 2005 and the Chair was announced on 27 March 2005.

(4) There are no plans to publicise the names of individual members of the Advisory Group.

(5) The first meeting of the Advisory Group took place on 5 May 2005.

(6) & (7)

The role of the Advisory Group is to inform the work of the Elder Abuse Prevention Project based on the collective expertise of its members. The Elder Abuse Prevention Project is expected to report to the Government by the end of 2005.

Aged care: ageing workforce employer education project — government policy

4838. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: Prior to the announcement of the Ageing Workforce: Employer Education Project on 6 April 2005, what were the State Government's policies to encourage businesses to use the skills of mature aged worker.

ANSWER:

I am informed that:

The specific policy directions in relation to older workers were enunciated in "Making this the Age To Be, a Forward Agenda for Senior Victorians". This policy document was first published in October 2002. A revised edition of this policy document was published in March 2003 and is available on the internet.

Aged care: ageing workforce employer education project — management

4840. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: In relation to the Ageing Workforce: Employer Education Project in partnership with the Victorian Employers' Chamber of Commerce and Industry:

- (1) Who will manage the Project.
- (2) What is the involvement of the Office of Senior Victorians.
- (3) How many staff will be involved.
- (4) What is the budget for the Project.

- (5) What are the Key Performance Indicators.
- (6) What guidelines have been set down for the Project.
- (7) How will the Project be monitored and evaluated.
- (8) By what date must the Project report.

ANSWER:

I am informed that in relation to the Project:

1. The Victorian Employers Chamber of Commerce and Industry (VECCI) will manage the Project. It will be supported by a Steering Committee comprising staff from VECCI and the Office of Senior Victorians (OSV).
2. OSV will participate in the Steering Committee for the project and a broader Reference Group.
3. The number of staff employed on the Project is a matter for VECCI.
4. The project will operate over two years and in addition to financial support from VECCI, OSV is contributing \$0.4M (net of GST)
5. Key performance indicators are to be based around the preparation of training materials, the numbers of seminars run by VECCI and numbers of employers participating in the Project. These indicators relate to outputs. Outcome indicators will focus on the degree to which training and seminar activities result in positive employer attitudes to employment, retention and development of older workers.
6. A detailed contract has been prepared and signed by the parties. As part of the contract VECCI will:
 - provide a project plan, deliverables, progress reports (5), a final report and a copy of their audited Annual Report on agreed dates
 - meet regularly with the funding body, on agreed dates.
 - establish a Reference Group with representatives from Government, the Ministerial Advisory Council of Senior Victorians and community organisations.
 - conduct seminars/workshops in metropolitan and regional Victoria to provide employers with information on the benefits of retaining and recruiting older workers and adopting more flexible recruitment, employment, training and retirement procedures and practices.
 - provide access to a consolidated body of research on older workers and practical tools for workforce planning and development and design a sustainable Age-Aware Employer Champion scheme for Victoria.
 - produce practical guidance on effective strategies which could be implemented across Victorian industry and workplaces.
7. The Project will be monitored by the Project Steering Committee. Specific research instruments will be developed to evaluate the impact of awareness raising activity.
8. Under the Contract, VECCI will meet the following milestones -

On or after 1 June 2005	progress report
August 25 2005	progress report
September 7 2005	progress report
November 24 2005	progress report
June 23 2006	progress report
November 24 2006	final report

Aged care: ageing workforce employer education project — opposition initiative

4841. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: Will the Minister confirm that the Ageing Workforce: Employer Education Project is an initiative of the Opposition as announced on 18 January 2005.

ANSWER:

I am informed that:

The Ageing Workforce: Employer Education Project was initiated by the Victorian Employers' Chamber of Commerce and Industry (VECCI) and the Office of Senior Victorians (OSV). Development of this partnership commenced in early 2004.

QUESTIONS ON NOTICE

*Answers to the following questions on notice were circulated on the date shown.
Questions have been incorporated from the notice paper of the Legislative Council.
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
The portfolio of the minister answering the question on notice starts each heading.*

Wednesday, 15 June 2005

WorkCover: ministerial staff — mobile telephone services

3325. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Finance (for the Minister for WorkCover): What has been the cost of providing mobile telephone services to the Minister's staff since 1999-2000.

ANSWER:

I was not the Minister for WorkCover during the period the question is seeking a response to. I therefore employed no WorkCover related staff during this period. As a result there were no costs incurred in relation to mobile telephone services for any such WorkCover staff in my office.

Moreover, by virtue of the provision to you of various mobile telephone services costs of my staff over more recent and multiple financial years as a result of previous Questions on notice, I am advised that even if I were to respond (which I again reiterate that I cannot) it would result in an unnecessary waste of Departmental resources and time.

Treasurer: CityLink — project cost

4176. THE HON. BILL FORWOOD — To ask the Minister for Finance (for the Treasurer): How did the Treasurer arrive at his statement in the *Australian Financial Review* of 28 October 2004 indicating that in 1996-97 CityLink had an announced construction cost of some \$1.2 billion, when CityLink was announced in 1995 as a project costing \$1.7 billion.

ANSWER:

I am informed that:

The Treasurer's reference to the \$1.2 billion cost of City link in his Statement to the Australian Financial Review on 28 October 2005 relates to the cost of construction only. Previous announcements to the cost of City Link as being \$1.7 billion referred to the Government's total investment into the project, which also includes other elements such as financing costs.

Sport and recreation: Melbourne and Olympic Parks Trust — entertainment expenses

4340. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation: In relation to the Melbourne and Olympic Parks Trust's entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and

- (e) name of service provider.

ANSWER:

I am informed that:

Collating this information would unreasonably divert the resources of the Melbourne and Olympic Parks Trust.

Sport and recreation: Melbourne Cricket Ground Trust — entertainment expenses

4341. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation: In relation to the Melbourne Cricket Ground Trust's entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

ANSWER:

I am informed that:

No such expenses were incurred by the Melbourne Cricket Ground Trust.

Sport and recreation: Professional Boxing and Combat Sports Board — entertainment expenses

4342. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation: In relation to the Professional Boxing and Combat Sports Board's entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

ANSWER:

I am informed that:

No such expenses were incurred by the Professional Boxing and Combat Sports Board.

Sport and recreation: State Recreation Camps Committee of Management — entertainment expenses

- 4345. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Sport and Recreation: In relation to the State Recreation Camps Committee of Management’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —
- (a) date incurred;
 - (b) cost;
 - (c) number of guests;
 - (d) purpose; and
 - (e) name of service provider.

ANSWER:

I am informed that:

No such expenses were incurred by the Sport and Recreation Camps Committee of Management Inc.

Sport and recreation: State Sports Centre Trust — entertainment expenses

- 4346. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Sport and Recreation: In relation to the State Sports Centre Trust’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —
- (a) date incurred;
 - (b) cost;
 - (c) number of guests;
 - (d) purpose; and
 - (e) name of service provider.

ANSWER:

I am informed that:

Collating this information would unreasonably divert the resources of the State Sport Centres Trust.

Corrections: home detention program

- 4581. THE HON RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison and in relation to Home Detention Programs from 1 June 2004 to 30 June 2004:
- (1) What was the total number of prisoners undertaking the Program.
 - (2) What was the total number of female prisoners undertaking the Program.
 - (3) What was the total number of male prisoners undertaking the Program.

ANSWER:

I am advised that:

- (1) A total of eighteen prisoners were undertaking the Home Detention Program during some or all of June 2004.
- (2) A total of three female prisoners were undertaking the Home Detention Program; two from the Dame Phyllis Frost Centre and one from HM Prison Tarrengower.
- (3) A total of fifteen male prisoners were undertaking the Home Detention Program; six from HM Prison Dhurringile, one from HM Prison Langi Kal Kal, two from HM Prison Loddon, two from HM Prison Won Wron and four from the Fulham Correctional Centre.

Corrections: home detention program

4582. THE HON RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison and in relation to Home Detention Programs from 1 July 2004 to 31 July 2004:

- (1) What was the total number of prisoners undertaking the Program.
- (2) What was the total number of female prisoners undertaking the Program.
- (3) What was the total number of male prisoners undertaking the Program.

ANSWER:

I am advised that:

- (1) A total of nineteen prisoners were undertaking the Home Detention Program during some or all of July 2004.
- (2) A total of four female prisoners were undertaking the Home Detention Program; two from the Dame Phyllis Frost Centre and two from HM Prison Tarrengower.
- (3) A total of fifteen male prisoners were undertaking the Home Detention Program; five from HM Prison Dhurringile, two from HM Prison Langi Kal Kal, two from HM Prison Loddon, two from HM Prison Won Wron and four from the Fulham Correctional Centre.

Corrections: home detention program

4583. THE HON RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison and in relation to Home Detention Programs from 1 August 2004 to 31 August 2004:

- (1) What was the total number of prisoners undertaking the Program.
- (2) What was the total number of female prisoners undertaking the Program.
- (3) What was the total number of male prisoners undertaking the Program.

ANSWER:

I am advised that:

- (1) A total of twenty-four prisoners were undertaking the Home Detention Program during some or all of August 2004.
- (2) A total of five female prisoners were undertaking the Home Detention Program; three from the Dame Phyllis Frost Centre and two from HM Prison Tarrengower.
- (3) A total of nineteen male prisoners have undertaken the Home Detention Program; one from HM Prison Beechworth, nine from HM Prison Dhurringile, one from HM Prison Langi Kal Kal, two from HM Prison Loddon, one from HM Prison Won Wron and five from the Fulham Correctional Centre.

Corrections: home detention program

4584. THE HON RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison and in relation to Home Detention Programs from 1 September 2004 to 30 September 2004:

- (1) What was the total number of prisoners undertaking the Program.
- (2) What was the total number of female prisoners undertaking the Program.
- (3) What was the total number of male prisoners undertaking the Program.

ANSWER:

I am advised that:

- (1) A total of eighteen prisoners were undertaking the Home Detention Program during some or all of September 2004.
- (2) A total of four female prisoners have undertaken the Home Detention Program; two from the Dame Phyllis Frost Centre and two from HM Prison Tarrengower.
- (3) A total of fourteen male prisoners were undertaking the Home Detention Program; one from HM Prison Beechworth, eight from HM Prison Dhurringile, one from HM Prison Loddon and four from the Fulham Correctional Centre.

Corrections: home detention program

4585. THE HON RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison and in relation to Home Detention Programs from 1 October 2004 to 31 October 2004:

- (1) What was the total number of prisoners undertaking the Program.
- (2) What was the total number of female prisoners undertaking the Program.
- (3) What was the total number of male prisoners undertaking the Program.

ANSWER:

I am advised that:

- (1) A total of twenty-one prisoners were undertaking the Home Detention Program during some or all of October 2004.
- (2) A total of five female prisoners have undertaken the Home Detention Program; two from the Dame Phyllis Frost Centre and three from HM Prison Tarrengower.
- (3) A total of sixteen male prisoners were undertaking the Home Detention Program; one from HM Prison Beechworth, ten from HM Prison Dhurringile, one from HM Prison Loddon and four from the Fulham Correctional Centre.

Corrections: home detention program

4586. THE HON RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison and in relation to Home Detention Programs from 1 November 2004 to 30 November 2004:

- (1) What was the total number of prisoners undertaking the Program.
- (2) What was the total number of female prisoners undertaking the Program.
- (3) What was the total number of male prisoners undertaking the Program.

ANSWER:

I am advised that:

- (1) A total of twenty-one prisoners were undertaking the Home Detention Program during some or all of November 2004.
- (2) A total of four female prisoners were undertaking the Home Detention Program; two from the Dame Phyllis Frost Centre and two from HM Prison Tarrengower.
- (3) A total of seventeen male prisoners have undertaken the Home Detention Program; one from HM Prison Beechworth, eight from HM Prison Dhurringile, three from HM Prison Loddon, one from HM Prison Won Wron and four from the Fulham Correctional Centre.

Environment: Sustainability and Environment — external legal advice

4602. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): What has been the expenditure by the Department of Sustainability and Environment on external legal advice since 1 January 2003.

ANSWER:

I am informed that:

The information sought is not readily available and would require an unreasonable diversion of the Department's resources to collect.

Environment: Sustainability and Environment — advertising

4611. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): In relation to advertising undertaken by the Department of Sustainability and Environment in 2003-04:

- (1) What was the date of approval for each contract.
- (2) What was the cost of each contract.
- (3) What was the purpose of the advertisement.
- (4) What was the duration of the advertisement.
- (5) Where and when was each advertisement published or broadcast.
- (6) To whom was each contract awarded.

ANSWER:

I am informed that:

The information sought is not readily available and would require an unreasonable diversion of the Department's resources to collect.

Environment: Sustainability and Environment — alcohol purchases

4620. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): In relation to alcohol purchased by the Department of Sustainability and Environment since 1 June 2003:

- (1) What was the date of each purchase.
- (2) What was the value of each purchase.
- (3) What items were purchased.

ANSWER:

I am informed that:

The information sought is not readily available and would require an unreasonable diversion of the Department's resources to collect.

Environment: Sustainability and Environment — interstate trips

4630. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment):

- (1) How many interstate trips were undertaken by executive level staff and base line staff of the Department of Sustainability and Environment in 2003-04.
- (2) What were the destinations.
- (3) What was the purpose of visiting each destination.
- (4) What costs were associated with the travel.

ANSWER:

I am informed that:

The information sought is not readily available and would require an unreasonable diversion of the Department's resources to collect.

Environment: Sustainability and Environment — overseas trips

4639. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment):

- (1) How many overseas trips were undertaken by executive level staff and base line staff of the Department of Sustainability and Environment in 2003-04.
- (2) What were the destinations.
- (3) What was the purpose of visiting each destination.
- (4) What costs were associated with the travel.

ANSWER:

I am informed that:

- (1) 31.
- (2) Destinations included the USA, Europe and Asia.
- (3) Trips were undertaken for a variety of purposes including to attend conferences, share knowledge and conduct research.
- (4) The total cost to the Department of this travel was \$267,632.

Environment: Sustainability and Environment — stress-related leave

4648. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment):

- (1) How many days have been taken as stress related leave by executive level staff and base line staff of the Department of Sustainability and Environment in 2003-04.
- (2) What was the estimated cost.
- (3) What was the total number of staff involved.

ANSWER:

I am informed that:

- (1) 231.
- (2) \$46,875.
- (3) 7.

Treasurer: budget — land tax

4667. THE HON. BILL FORWOOD — To ask the Minister for Finance (for the Treasurer): In relation to the item “Taxes on immovable property” in Note 2: Taxation at page 75 of the 2004-05 Budget Update, what was the amount of land tax included in the 2004-05 Revised figure and in the Estimate figures for 2005-06, 2006-07 and 2007-08.

ANSWER:

I am informed that the details you requested are as follows:

The land tax estimates made in the 2004-05 Budget update have been superseded by the estimates made in the 2005-06 Budget.

Treasurer: budget — land tax

4668. THE HON. BILL FORWOOD — To ask the Minister for Finance (for the Treasurer): In relation to the item “Taxes on immovable property” in Note 2: Taxation at page 75 of the 2004-05 Budget Update, what were the assumed increases in land values used for calculating the amount of land tax included in the 2004-05 Revised figure and in the Estimate figures for 2005-06, 2006-07 and 2007-08.

ANSWER:

I am informed that the details you requested are as follows:

The land tax estimates made in the 2004-05 Budget Update have been superseded by the estimates made in the 2005-06 Budget.

Treasurer: budget — land transfer duty

4669. THE HON. BILL FORWOOD — To ask the Minister for Finance (for the Treasurer): In relation to the item “Financial and capital transactions” in Note 2: Taxation at page 75 of the 2004-05 Budget Update, what was the amount of duty on land transfers included in the 2004-05 Revised figure and in the Estimate figures for 2005-06, 2006-07 and 2007-08.

ANSWER:

I am informed that the details you requested are as follows:

The land transfer duty estimates made in the 2004-05 Budget Update were unchanged in the 2005-06 Budget. The current land transfer duty estimates, including out years, are located in the 2005-06 Budget Paper No. 4.

Treasurer: land tax — assessments

4671. THE HON. BILL FORWOOD — To ask the Minister for Finance (for the Treasurer): For each year from 1999 to 2004:

- (1) What was the value of assessments issued for land tax.
- (2) What was the value of those assessments that have not been collected; or, if this information cannot be provided, what was the amount of land tax revenue received from assessments issued for land tax.

ANSWER:

I am informed that the details you requested are as follows:

- (1) This information is contained in the Annual Financial Report and Mid-Year Financial Report
- (2) The value of land tax write-offs is minimal (less than 1%), as a result the Land Tax Branch within the State Revenue Office considers that all assessments issued are collected and therefore the value of land tax revenue from those assessments would be equal to the value reported in the final budget statement for each of the years in question (the estimates reported would have items such as write-offs etc factored into them in any case).

Treasurer: land tax — assessments

- 4672. THE HON. BILL FORWOOD** — To ask the Minister for Finance (for the Treasurer): What is the estimated land tax revenue expected to be received from assessments issued or to be issued in respect of each of the tax years 2005, 2006, 2007 and 2008.

ANSWER:

I am informed that the details you requested are as follows:

The 2005-06 Budget estimates include the land tax reforms announced as part of the budget. The current land tax estimates, including out years, are located in the 2005-06 Budget paper No. 4.

Attorney-General: Victoria Legal Aid — advertising and credit card expenditure

- 4739. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Sport and Recreation (for the Attorney-General): In relation to Victoria Legal Aid:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to Victoria Legal Aid:

- (1) The advertising expenditure in 2003-04 was \$122,915.18, comprising staff and general advertising.
- (2) The credit card expenditure in 2003-04 was nil as Victoria Legal Aid does not possess a corporate card.

Corrections: Corrections Victoria — advertising and credit card expenditure

- 4773. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to Corrections Victoria within the Department of Justice:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to Corrections Victoria within the Department of Justice:

- (1) The advertising expenditure in 2003-04 was \$83,820.18, made up of general, mandatory and staff vacancy advertising as per the Victorian Government Advertising-Master Agency Media Service Contract.

- (2) The credit card expenditure in 2003-04 was \$836,000. Credit cards are used by Corrections Victoria for a variety of operating expenses including accommodation, training, office consumables, utilities costs and tram and train tickets. This is in order to improve administrative efficiency by streamlining high volume, low value transactions.

Corrections: Community Correctional Services — advertising and credit card expenditure

4774. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to Community Correctional Services within the Department of Justice:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to Community Correctional Services within the Department of Justice:

- (1) The advertising expenditure in 2003-04 was \$4,431 as per the Victorian Government Advertising-Master Agency Media Service Contract.
- (2) The credit card expenditure in 2003-04 was \$166,460. Credit cards are used by Corrections Victoria for a variety of operating expenses including accommodation, training, office consumables, utilities costs and tram and train tickets. This is in order to improve administrative efficiency by streamlining high volume, low value transactions.

Corrections: prisoners — compassionate leave

4792. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison:

- (1) How many prisoners were granted compassionate leave between 1 July 2003 to 30 June 2004 to travel interstate and/or intrastate.
- (2) Under what circumstances were prisoners granted compassionate leave.
- (3) When was compassionate leave taken to travel interstate and/or intrastate.
- (4) Where was compassionate leave taken at any one time.

ANSWER:

I am advised that:

Corrections Victoria does not grant “compassionate leave” to prisoners. However, Corrections can issue a “Corrections Administration Permit” under special circumstances that require a prisoner to be temporarily absent from prison. Permits may be issued to assist in the administration of justice, to attend to health requirements, or to attend a funeral or visit to a close family member in the case of serious illness. Data collection systems do not differentiate between the types of Corrections Administration Permits. It would therefore be an unreasonable diversion of Corrections Victoria’s resources to attempt to research and answer the question.

Interstate Leaves of Absence for prisoners are provided for under an amendment to the *Corrections Act 1986*. Since the amendment came into effect in August 2004, only one prisoner has travelled interstate under these provisions (to New South Wales in December 2004 to attend a funeral).

Corrections: prisoners — compassionate leave

4793. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison:

- (1) How many prisoners were granted compassionate leave between 1 July 2004 to 28 February 2005 to travel interstate and/or intrastate.
- (2) Under what circumstances were prisoners granted compassionate leave.
- (3) When was compassionate leave taken to travel interstate and/or intrastate.
- (4) Where was compassionate leave taken at any one time.

ANSWER:

I am advised that:

Corrections Victoria does not grant “compassionate leave” to prisoners. However, Corrections can issue a “Corrections Administration Permit” under special circumstances that require a prisoner to be temporarily absent from prison. Permits may be issued to assist in the administration of justice, to attend to health requirements, or to attend a funeral or visit to a close family member in the case of serious illness. Data collection systems do not differentiate between the types of Corrections Administration Permits. It would therefore be an unreasonable diversion of Corrections Victoria’s resources to attempt to research and answer the question.

Interstate Leaves of Absence for prisoners are provided for under an amendment to the *Corrections Act 1986*. Since the amendment came into effect in August 2004, only one prisoner has travelled interstate under these provisions (to New South Wales in December 2004 to attend a funeral).

Treasurer: State Revenue Office — land tax

4852. THE HON. BILL FORWOOD — To ask the Minister for Finance (for the Treasurer): For each of the land tax assessment years from 1999 to 2005, inclusive (and using estimates for 2005 where actual figures are not available):

- (1) How much and what proportion of land tax revenue was or is to be collected by the State Revenue Office from assessments falling within each of the land tax brackets.
- (2) How many taxpayers received or will receive assessments falling within each of the land tax brackets.
- (3) What was or is the total value of all assessments falling within each of the land tax brackets.
- (4) How much and what proportion of total revenue was or is to be received from those taxpayers the State Revenue Office deems to be “special land tax customers”.
- (5) What is the total land holding value of those customers deemed to be “special land tax customers”.
- (6) For each land tax bracket, how many properties in total form part of assessments falling within that land tax bracket.

ANSWER:

I am informed that the details you requested are as follows:

I am advised that to provide an answer for this question would result in an unreasonable diversion of my department's resources.

Treasurer: — State Revenue Office — land tax

4853. THE HON. BILL FORWOOD — To ask the Minister for Finance (for the Treasurer): How much revenue does the State Revenue Office expect to receive in 2005 from the imposition of land tax on nursing homes, aged care facilities and supported residential services.

ANSWER:

I am informed that the details you requested are as follows:

Nil.

WorkCover: Victorian WorkCover Authority — payments

4873. THE HON. BILL FORWOOD — To ask the Minister for WorkCover: What was the actual amount of the tax equivalent payments made by the Victorian WorkCover Authority for 1998-99, 1999-2000, 2000-01, 2001-02, 2002-03, 2003-04, and 2004-05 (year to date), respectively.

ANSWER:

- The VWA, like any other Government business enterprises, are required in accordance with the Commonwealth Competition Policy to make provisions for Tax Equivalent payments to the Government
- Because of its past performance where it has had large tax losses on the books, it has not made these payments. It is only when these tax losses are exhausted due to VWA's strong positive financial performance in recent years that VWA is starting to make these payments.
- The VWA first made a payment under this regime for its 2003/04 performance when it was dragged back into the black through our responsible financial management. This payment was \$16M.
- Given the continued good performance in 2004/05 we can expect to make further payments. So far this year VWA has paid \$48M, with any final figure remaining unknown until later in the calendar year.

QUESTIONS ON NOTICE

*Answers to the following questions on notice were circulated on the date shown.
Questions have been incorporated from the notice paper of the Legislative Council.
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
The portfolio of the minister answering the question on notice starts each heading.*

Thursday, 16 June 2005

State and regional development: fees and charges

- 1521. THE HON. PHILIP DAVIS** — to ask the Minister for Small Business (for the Minister for State and Regional Development):
- (a) What are all the fees, fines, levies, charges and taxes that fall under the Minister's portfolio responsibility.
 - (b) What was the level/rate of each of these in October 1999.
 - (c) What is the current level/rate of each of these.

ANSWER:

I am informed as follows:

There are no fees, fines, levies, charges or taxes that fall under my portfolio responsibility.

Innovation: fees and charges

- 1547. THE HON. PHILIP DAVIS** — To ask the Minister for Small Business (for the Minister for Innovation):
- (a) What are all the fees, fines, levies, charges and taxes that fall under the Minister's portfolio responsibility.
 - (b) What was the level/rate of each of these in October 1999.
 - (c) What is the current level/rate of each of these.

ANSWER:

I am informed as follows:

There are no fees, fines, levies, charges or taxes that fall under my portfolio responsibility.

State and regional development: Innovation, Industry and Regional Development — advertising and promotions

- 1817. THE HON. GRAEME STONEY** — To ask the Minister for Small Business (for the Minister for State and Regional Development): What was the total amount of expenditure across the whole of the Department of Innovation, Industry and Regional Development for advertising and promotions in 2002-03.

ANSWER:

I am informed as follows:

For a list of promotional and marketing activities undertaken by the Department of Innovation, Industry and Regional Development during the 2002-03 financial year, refer to the Department's 2002-03 Annual Report.

Innovation: Baker Medical Research Institute — stress-related leave

1875. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to staff members of the Baker Medical Research Institute on stress related leave in 2002-03, what was the — (i) number of days taken; (ii) estimated cost; and (iii) total number of staff involved.

ANSWER:

I am informed as follows:

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Prince Henry's Institute of Medical Research — stress-related leave

1876. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to staff members of the Prince Henry's Institute of Medical Research on stress related leave in 2002-03, what was the — (i) number of days taken; (ii) estimated cost; and (iii) total number of staff involved.

ANSWER:

I am informed as follows:

The Prince Henry's Institute of Medical Research is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute, other than ensuring the tabling in Parliament of its Annual Financial Report and an audited statement of its accounts.

The powers conferred on the Institute pursuant to the *Prince Henry's Institute of Medical Research Act 1988* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Corrections: CORE — The Public Correctional Enterprise — stress-related leave

1887. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to staff members of the Office of CORE—The Public Correctional Enterprise on stress related leave in 2002-03, what was the — (i) number of days taken; (ii) estimated cost; and (iii) total number of staff involved.

ANSWER:

I am informed as follows:

In relation to staff members of CORE – The Public Correctional Enterprise on stress leave in 2002-03:

- The number of days lost (prisons and Community Correctional Services) was 447;
- Estimated \$94,958
- A total of 13 new claims

Due to the parameters set under privacy legislation regarding personal information, Corrections Victoria (incorporating the former Office of CORE – The Public Correctional Enterprise) is only able to determine the number of WorkCover stress related cases and is not in a position to comment on any personal sick leave details.

Police and emergency services: Country Fire Authority — stress-related leave

1915. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to staff members of the Country Fire Authority on stress related leave in 2002-03, what was the — (i) number of days taken; (ii) estimated cost; and (iii) total number of staff involved.

ANSWER:

I am advised that:

During 2002-03

- (i) The total number of days taken were 134 days
- (ii) The total cost of the claims was \$42,700
- (iii) 5 staff lodged WorkCover claims related to stress of which:
 - One was rejected; and
 - One was a major claim representing 76% of the claim costs and 82% of time lost.

Due to the parameters set under privacy legislation regarding personal information, CFA is only able to determine the number of WorkCover stress related cases and is not in a position to comment on any personal sick leave details.

Police and emergency services: Metropolitan Fire and Emergency Services Board — stress-related leave

1918. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to staff members of the Metropolitan Fire and Emergency Services Board on stress related leave in 2002-03, what was the — (i) number of days taken; (ii) estimated cost; and (iii) total number of staff involved.

ANSWER:

I am advised that:

- (i) Number of days taken – 302
- (ii) Estimated cost - \$49,870
- (iii) Total number of staff involved - 9

Due to the parameters set under privacy legislation regarding personal information, MFESB is only able to determine the number of WorkCover stress related cases and is not in a position to comment on any personal sick leave details.

Police and emergency services: Victoria Police — stress-related leave

1921. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to staff members of the Victoria Police on stress related leave in 2002-03, what was the — (i) number of days taken; (ii) estimated cost; and (iii) total number of staff involved.

ANSWER:

- i) The number of days lost relating to stress claims lodged in 2002-03 as at 31 October 2004 is 32,346.
- ii) The total cost of these claims as at 31 October 2004 is \$6,105,889.
- iii) Victoria Police had 241 stress claims in 2002-03. Of these claims 58 (21%) are still active.

Innovation: Baker Medical Research Institute — advertising

2117. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Baker Medical Research Institute's advertising undertaken between 1 July 2002 and 30 June 2003:

- (a) What was the — (i) date of approval of each contract; (ii) cost of each contract; (iii) purpose of the advertisements; and (iv) duration of the each advertisement.
- (b) Where and when was each advertisement published or broadcast.
- (c) To whom was each contract awarded.

ANSWER:

I am informed as follows:

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Howard Florey Institute of Experimental Physiology and Medicine — advertising

2118. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Howard Florey Institute of Experimental Physiology and Medicine's advertising undertaken between 1 July 2002 and 30 June 2003:

- (a) What was the — (i) date of approval of each contract; (ii) cost of each contract; (iii) purpose of the advertisements; and (iv) duration of each advertisement.
- (b) Where and when was each advertisement published or broadcast.

- (c) To whom was each contract awarded.

ANSWER:

I am informed as follows:

The Howard Florey Institute of Experimental Physiology and Medicine is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Howard Florey Institute of Experimental Physiology and Medicine Act 1971* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Prince Henry's Institute of Medical Research — advertising

2119. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to Prince Henry's Institute of Medical Research's advertising undertaken between 1 July 2002 and 30 June 2003:

- (a) What was the — (i) date of approval of each contract; (ii) cost of each contract; (iii) purpose of the advertisements; and (iv) duration of each advertisement.
- (b) Where and when was each advertisement published or broadcast.
- (c) To whom was each contract awarded.

ANSWER:

I am informed as follows:

The Prince Henry's Institute of Medical Research is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute, other than ensuring the tabling in Parliament of its Annual Financial Report and an audited statement of its accounts.

The powers conferred on the Institute pursuant to the *Prince Henry's Institute of Medical Research Act 1988* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Baker Medical Research Institute — media research and public opinion polling

2349. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Baker Medical Research Institute's media research and public opinion polling conducted since 1 January 2002:

- (a) What is the title of each poll or item of research.
- (b) What is the date of approval and duration of the contract.
- (c) What is the cost.
- (d) Who are the personnel conducting the project.

- (e) Was it put to tender.
- (f) What recommendations were made.
- (g) Were any actions taken by the Department or Minister.

ANSWER:

I am informed as follows:

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Howard Florey Institute of Experimental Physiology and Medicine — media research and public opinion polling

2350. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Howard Florey Institute of Experimental Physiology and Medicine’s media research and public opinion polling conducted since 1 January 2002:

- (a) What is the title of each poll or item of research.
- (b) What is the date of approval and duration of the contract.
- (c) What is the cost.
- (d) Who are the personnel conducting the project.
- (e) Was it put to tender.
- (f) What recommendations were made.
- (g) Were any actions taken by the Department or Minister.

ANSWER:

I am informed as follows:

The Howard Florey Institute of Experimental Physiology and Medicine is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Howard Florey Institute of Experimental Physiology and Medicine Act 1971* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Prince Henry's Institute of Medical Research — media research and public opinion polling

2351. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Prince Henry's Institute of Medical Research's media research and public opinion polling conducted since 1 January 2002:

- (a) What is the title of each poll or item of research.
- (b) What is the date of approval and duration of the contract.
- (c) What is the cost.
- (d) Who are the personnel conducting the project.
- (e) Was it put to tender.
- (f) What recommendations were made.
- (g) Were any actions taken by the Department or Minister.

ANSWER:

I am informed as follows:

The Prince Henry's Institute of Medical Research is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute, other than ensuring the tabling in Parliament of its Annual Financial Report and an audited statement of its accounts.

The powers conferred on the Institute pursuant to the *Prince Henry's Institute of Medical Research Act 1988* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Baker Medical Research Institute — media research and public opinion polling

2354. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Baker Medical Research Institute's media research and public opinion polling conducted since 1 January 2002:

- (a) What is the title of each poll or item of research.
- (b) What is the date of approval and duration of the contract.
- (c) What is the cost.
- (d) Who are the personnel conducting the project.
- (e) Was it put to tender.
- (f) What recommendations were made.
- (g) Were any actions taken by the Department or Minister.

ANSWER:

I am informed as follows:

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Baker Medical Research Institute — capital works funding

2579. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Baker Medical Research Institute’s allocation of funds to major capital works, including major maintenance, replacement, and upgrades, what were the priority major projects that were approved for the year 2002-03 and were each of those priority projects achieved.

ANSWER:

I am informed as follows:

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Howard Florey Institute of Experimental Physiology and Medicine — funding

2580. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Howard Florey Institute of Experimental Physiology and Medicine’s allocation of funds to major capital works, including major maintenance, replacement, and upgrades, what were the priority major projects that were approved for the year 2002-03 and were each of those priority projects achieved.

ANSWER:

I am informed as follows:

The Howard Florey Institute of Experimental Physiology and Medicine is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Howard Florey Institute of Experimental Physiology and Medicine Act 1971* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Prince Henry's Institute of Medical Research — capital works funding

2581. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Prince Henry's Institute of Medical Research's allocation of funds to major capital works, including major maintenance, replacement, and upgrades, what were the priority major projects that were approved for the year 2002-03 and were each of those priority projects achieved.

ANSWER:

I am informed as follows:

The Prince Henry's Institute of Medical Research is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute, other than ensuring the tabling in Parliament of its Annual Financial Report and an audited statement of its accounts.

The powers conferred on the Institute pursuant to the *Prince Henry's Institute of Medical Research Act 1988* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Baker Medical Research Institute — capital works funding

2584. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Baker Medical Research Institute's allocation of funds to major capital works, including major maintenance, replacement, and upgrades, what were the priority major projects that were approved for the year 2002-03 and were each of those priority projects achieved.

ANSWER:

I am informed as follows:

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Baker Medical Research Institute — external legal advice

2814. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): What has been the expenditure by the Baker Medical Research Institute on external legal advice since 1 January 2003 to date.

ANSWER:

I am informed as follows:

The Baker Medical Research is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Howard Florey Institute of Experimental Physiology and Medicine — external legal advice

2815. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): What has been the expenditure by the Howard Florey Institute of Experimental Physiology and Medicine on external legal advice since 1 January 2003 to date.

ANSWER:

I am informed as follows:

The Howard Florey Institute of Experimental Physiology and Medicine is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Howard Florey Institute of Experimental Physiology and Medicine Act 1971* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Prince Henry's Institute of Medical Research — external legal advice

2816. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): What has been the expenditure by Prince Henry's Institute of Medical Research on external legal advice since 1 January 2003 to date.

ANSWER:

I am informed as follows:

The Prince Henry's Institute of Medical Research is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute, other than ensuring the tabling in Parliament of its Annual Financial Report and an audited statement of its accounts.

The powers conferred on the Institute pursuant to the *Prince Henry's Institute of Medical Research Act 1988* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Baker Medical Research Institute — office accommodation

3047. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Baker Medical Research Institute's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed as follows:

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Howard Florey Institute of Experimental Physiology and Medicine — office accommodation

- 3048. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Howard Florey Institute of Experimental Physiology and Medicine's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed as follows:

The Howard Florey Institute of Experimental Physiology and Medicine is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Howard Florey Institute of Experimental Physiology and Medicine Act 1971* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Prince Henry's Institute of Medical Research — office accommodation

- 3049. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Small Business (for the Minister for Innovation): In relation to Prince Henry's Institute of Medical Research's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed as follows:

The Prince Henry's Institute of Medical Research is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute, other than ensuring the tabling in Parliament of its Annual Financial Report and an audited statement of its accounts.

The powers conferred on the Institute pursuant to the *Prince Henry's Institute of Medical Research Act 1988* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Baker Medical Research Institute — office accommodation

3052. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Baker Medical Research Institute’s leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed as follows

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Police and emergency services: Country Fire Authority — office accommodation

3089. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the Country Fire Authority’s leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am advised that:

Section 20AA (2) (b) of the *Country Fire Authority Act 1958* gives the CFA the authority to enter into agreements or arrangements with any person or body for the provision of goods or services to the Authority. All leases are entered into by the Country Fire Authority.

The Country Fire Authority advises that by disclosing the specific lease location with the cost that:

- i) There may be a breach of fiduciary duty, which can relate to a discussion that has occurred agreeing that the details of the leasing arrangement are to remain confidential.
- ii) There is potential for legal action against CFA because of disadvantaging the owners or properties currently leased when in the future, they compete with other property owners
- iii) There is increased sensitivities associated with revealing lease specifics in country towns where the availability of buildings for lease are limited.

Table 1 contains the expiry date of the leases; the cost per metre of each lease; and the total cost of each lease over the term of the contract.

Table 1: CFA Leases

Index	Expiry Date	Cost per square Metre	Total Cost
1	31/12/2009	\$215	\$10,000,000
2	14/07/2014	\$150	\$1,500,000
3	1/08/2016	\$130	\$1,550,000
4	1/01/2010	\$150	\$820,000
5	1/11/2006	\$205	\$780,000
6	30/10/2008	\$205	\$485,000
7	31/07/2005	\$205	\$485,000
8	14/02/2010	\$130	\$430,000
9	5/04/2009	\$130	\$365,000
10	30/09/2007	\$130	\$301,000
11	31/05/2006	\$125	\$260,000
12	28/02/2007	\$125	\$240,000
13	29/06/2005	\$115	\$235,000
14	30/08/2007	\$140	\$200,000
15	1/06/2005	\$100	\$140,000
16	28/02/2007	\$90	\$95,000
17	1/09/2005	\$100	\$12,000
18	1/06/2005	\$80	\$2,680

Police and emergency services: Country Fire Authority Appeals Commission — office accommodation

3090. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the Country Fire Authority Appeals Commission’s leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am advised that:

The Country Fire Authority Appeals Commission is located within the Country Fire Authority Board headquarters. I refer the Honourable Member to the response made to this question regarding the Country Fire Authority.

Police and emergency services: Metropolitan Fire and Emergency Services Appeals Commission — office accommodation

3092. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the Metropolitan Fire and Emergency Services Appeals Commission’s leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am advised that:

The Metropolitan Fire and Emergency Services Appeals Commission is located within the Metropolitan Fire and Emergency Services Board headquarters. I refer the Honourable Member to the response made to this question regarding the Metropolitan Fire and Emergency Services Board.

Police and emergency services: Metropolitan Fire and Emergency Services Board — office accommodation

3093. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the Metropolitan Fire and Emergency Services Board’s leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am advised that:

Section 25A (2) of the *Metropolitan Fire Brigades Act 1958* gives the MFESB the authority to enter into agreements or arrangements with any person or body for the provision of goods or services to the Board. All leases are entered into by the Metropolitan Fire and Emergency Services Board.

By disclosing specific lease location with the cost:

- i) There may be a breach of fiduciary duty, which can relate to a discussion that has occurred agreeing that the details of the leasing arrangement are to remain confidential.
- ii) There is potential for legal action because of disadvantaging the owners or properties currently leased when in the future, they compete with other property owners

Table 1 contains the location of each lease; the expiry date of the leases; the cost per metre of each lease; and the total cost of each lease over the term of the contract.

TABLE 1: MFESB LEASES

Index	Expiry Date	Cost per square metre	Total cost
1	31/08/2009	\$112	\$307,500
2	1/12/2004	\$132	\$532,214
3	14/11/2009	\$117	\$1,590,000
4	8/05/2006	\$122	\$717,400
5	Continuous	*	\$8,448

Index	Expiry Date	Cost per square metre	Total cost
6	1/03/2005	\$104	\$37,000
7	1/04/2007	\$200	\$231,000
8	1/10/2004	*	\$90,000
9	1/01/2006	*	\$22,500
10	19/05/2006	*	\$29,661
11	1/01/2007	*	\$17,145
12	17/11/2006	*	\$62,613
13	28/05/2005	*	\$52,239
14	28/09/2004	*	\$29,388
15	30/09/2006	*	\$598,000
16	continuous	*	\$350

* The areas in these instances are small so as to be negligible
 Note: All rental amounts exclude assessment rates

Police and emergency services: Private Agents Registry — office accommodation

3095. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the Private Agents Registry’s leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am advised that:

The Private Agents Registry occupies space leased by the Minister for Finance. You may wish to refer this question to the Minister for Finance.

Innovation: Baker Medical Research Institute — interstate and overseas travel

4117. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to interstate and overseas travel by the members and staff of the Baker Medical Research Institute in 2003-04:

- (1) How many trips were undertaken.
- (2) What costs were associated with the travel.

ANSWER:

I am informed as follows:

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute

Innovation: Howard Florey Institute of Experimental Physiology and Medicine — interstate and overseas travel

4118. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to interstate and overseas travel by the members and staff of the Howard Florey Institute of Experimental Physiology and Medicine in 2003-04:

- (1) How many trips were undertaken.
- (2) What costs were associated with the travel.

ANSWER:

I am informed as follows:

The Howard Florey Institute of Experimental Physiology and Medicine is an independent statutory authority. The Minister for Innovation, I have no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Howard Florey Institute of Experimental Physiology and Medicine Act 1971* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute

Innovation: Prince Henry's Institute of Medical Research — interstate and overseas travel

4119. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to interstate and overseas travel by the members and staff of the Prince Henry's Institute of Medical Research in 2003-04:

- (1) How many trips were undertaken.
- (2) What costs were associated with the travel.

ANSWER:

I am informed as follows:

The Prince Henry's Institute of Medical Research is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute, other than ensuring the tabling in Parliament of its Annual Financial Report and an audited statement of its accounts.

The powers conferred on the Institute pursuant to the *Prince Henry's Institute of Medical Research Act 1988* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Baker Medical Research Institute — entertainment expenses

4202. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Baker Medical Research Institute’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

ANSWER:

I am informed as follows:

The Baker Medical Research Institute is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Baker Medical Research Institute Act 1980* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Howard Florey Institute of Experimental Physiology — entertainment expenses

4203. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Howard Florey Institute of Experimental Physiology and Medicine’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

ANSWER:

I am informed as follows:

The Howard Florey Institute of Experimental Physiology and Medicine is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute.

The powers conferred on the Institute pursuant to the *Howard Florey Institute of Experimental Physiology and Medicine Act 1971* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Innovation: Prince Henry's Institute of Medical Research — entertainment expenses

4204. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Innovation): In relation to the Prince Henry's Institute of Medical Research's entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

ANSWER:

I am informed as follows:

The Prince Henry's Institute of Medical Research is an independent statutory authority. The Minister for Innovation has no responsibility for the financial management role of the Institute, other than ensuring the tabling in Parliament of its Annual Financial Report and an audited statement of its accounts.

The powers conferred on the Institute pursuant to the *Prince Henry's Institute of Medical Research Act 1988* are vested in and are only exercised by its Board of Management. The Board has independent responsibility for the direction, expenditure and conduct of the Institute and its research programs.

Details of financial management and all relevant reporting can be found in records of the Annual Reports and Annual Research Reports of the Institute.

Energy industries: Office of Gas Safety — entertainment expenses

4286. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: In relation to the Office of Gas Safety's entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

ANSWER:

As at the date the question was raised, the answer is :

That on advice of the Office of Gas Safety:

(a) Event 1: 8/12/03

Event 2: 4/6/04

- | | |
|--------------------------------------|--|
| (b) Event 1: \$1290.49 | Event 2: \$872.73 |
| (c) Event 1: 33 | Event 2: 8 |
| (d) Event 1: End of year staff lunch | Event 2: Attending President’s annual dinner |
| (e) Event 1: Café 639, Carlton | Event 2: Master Plumbers and Mechanical Services Assn. |

Energy industries: Office of the Chief Electrical Inspector — entertainment expenses

4287. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: In relation to the Office of the Chief Electrical Inspector’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

ANSWER:

As at the date the question was raised, the answer is :

That on advice from the Office of the Chief Electrical Inspector:

<p>Event 1</p> <ul style="list-style-type: none"> (a) 11/12/03 (b) \$3,848 (c) 80 (d) Staff, consultants Christmas function (e) Bond Store 	<p>Event 2</p> <ul style="list-style-type: none"> (a) 18/12/03 (b) \$2,420 (c) 80 (d) Industry function (e) Duxton Hotel
<p>Event 3</p> <ul style="list-style-type: none"> (a) 1/6/04 (b) \$3,240 (c) 80 (d) CEI departure function (e) Duxton Hotel 	

Energy industries: Victorian Energy Networks Corporation — entertainment expenses

4292. THE HON. RICHARD DALLA-RIVA — To ask the Minister Energy Industries: In relation to the Victorian Energy Networks Corporation’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;

- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

ANSWER:

As at the date the question was raised, the answer is :

- (a) 19/12/04
- (b) \$6000
- (c) 86
- (d) Staff Christmas party
- (e) Crown Ltd

Health: Human Services — external legal advice

4600. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Aged Care (for the Minister for Health): What has been the expenditure by the Department of Human Services on external legal advice since 1 January 2003.

ANSWER:

I am informed that:

Based on Department of Justice advice and the Department of Human Services records, a total of \$12.42 million was expended by the Department of Human Services on external legal advice between 1 January 2003 and 31 December 2004.

Victorian communities: Victorian Communities — external legal advice

4601. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Aged Care (for the Minister for Victorian Communities): What has been the expenditure by the Department of Victorian Communities on external legal advice since 1 January 2003.

ANSWER:

I am informed as follows:

The Department incurred expenditure to the value of \$891,443 on legal advice provided by a number of external organisations, including the Victorian Government Solicitor, in the two years between 1 January 2003 and 31 December 2004.

Education and training: Education and Training — external legal advice

4605. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Education and Training): What has been the expenditure by the Department of Education and Training on external legal advice since 1 January 2003.

ANSWER:

I am informed as follows:

The total expenditure by the Department of Education and Training on external legal advice since 1 January 2003 is \$8,728,934.

Police and emergency services: Justice — external legal advice

4606. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): What has been the expenditure by the Department of Justice on external legal advice since 1 January 2003.

ANSWER:

I am informed that between 1 January 2003 and 31 December 2004, expenditure by the Department of Justice on external legal advice was \$9,156,284. This figure comprises legal fees, counsel fees, other disbursements and out of pocket expenses.

Treasurer: budget — land transfer duty

4670. THE HON. BILL FORWOOD — To ask the Minister for Finance (for the Treasurer): In relation to the item “Financial and capital transactions” in Note 2: Taxation at page 75 of the 2004-05 Budget Update, what were the assumed increases or decreases in property prices and in property volumes used in calculating the amount of duty on land transfers included in the 2004-05 Revised figure and in the Estimate figures for 2005-06, 2006-07 and 2007-08.

ANSWER:

I am informed that the details you requested are as follows:

Although the land transfer duty estimates made in the 2004-05 Budget Update were unchanged in the 2005-06 Budget, the forecast mix of volumes and prices changed. The forecast of these components made in the 2004-05 Budget Update have been superseded by the estimates made in the 2005-06 Budget.

Attorney-General: Municipal Electoral Tribunal — advertising and credit card expenditure

4740. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Attorney-General): In relation to the Municipal Electoral Tribunal:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Municipal Electoral Tribunal:

- (1) The advertising expenditure in 2003-04 was nil.
- (2) The credit card expenditure in 2003-04 was nil.

Attorney-General: Legal Profession Tribunal — advertising and credit card expenditure

4741. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Attorney-General): In relation to the Legal Profession Tribunal:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Legal Profession Tribunal:

- (1) The advertising expenditure in 2003-04 was nil.
- (2) The credit card expenditure in 2003-04 was nil.

Attorney-General: Office of the Victorian Privacy Commissioner — advertising and credit card expenditure

4742. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Attorney-General): In relation to the Office of the Victorian Privacy Commissioner:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Office of the Victorian Privacy Commissioner:

- (1) The advertising expenditure in 2003-04 was \$31628.70.
- (2) The credit card expenditure in 2003-04 was nil as the Office does not possess a credit card.

Gaming: Director of Gaming and Betting and Director of Casino Surveillance — advertising and credit card expenditure

4743. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for Gaming): In relation to the Director of Gaming and Betting and Director of Casino Surveillance:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Director of Gaming and Betting and Director of Casino Surveillance:

- (1) The advertising expenditure in 2003-04 was \$15,196.81.
- (2) The credit card expenditure in 2003-04 was \$113,200.

Gaming: Gambling Research Panel — advertising and credit card expenditure

4744. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for Gaming): In relation to the Gambling Research Panel:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Gambling Research Panel:

- (1) The advertising expenditure in 2003-04 was \$12,164.87.
- (2) The credit card expenditure in 2003-04 was nil.

Gaming: Victorian Casino and Gaming Authority — advertising and credit card expenditure

4745. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for Gaming): In relation to the Victorian Casino and Gaming Authority:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Victorian Casino and Gaming Authority:

- (1) The advertising expenditure in 2003-04 was \$15,196.81.
- (2) The credit card expenditure in 2003-04 was \$113,200.

Gaming: Advocate for Responsible Gambling — advertising and credit card expenditure

4746. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for Gaming): In relation to the Advocate for Responsible Gambling:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Advocate for Responsible Gambling:

- (1) The advertising expenditure in 2003-04 was nil.
- (2) The credit card expenditure in 2003-04 was \$3,305.79.

Energy industries: Office of Gas Safety — advertising and credit card expenditure

4758. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: In relation to the Office of Gas Safety:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

As at the date the question was raised, the Office of Gas Safety advises that the answer is:

- (1) \$326,395
- (2) Nil

Energy industries: Office of the Chief Electrical Inspector — advertising and credit card expenditure

4761. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: In relation to the Office of the Chief Electrical Inspector (OCEI):

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

As at the date the question was raised, the Office of the Chief Electrical Inspector advises that the answer is:

- (1) \$810,000.
- (2) Nil.

Agriculture: Agriculture Victoria Services Pty Ltd — advertising and credit card expenditure

4762. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to Agriculture Victoria Services Pty Ltd:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to Agriculture Victoria Services Pty Ltd:

- (1) There was no advertising expenditure for 2003-04.
- (2) Credit card expenditure for 2003-04 was \$38,862.00.

Agriculture: Murray Valley Citrus Marketing Board — advertising and credit card expenditure

4763. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Murray Valley Citrus Marketing Board:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Murray Valley Citrus Marketing Board:

- (1) Advertising expenditure for 2003-04 was \$1,965.63.
- (2) Credit card expenditure for 2003-04 was \$63,565.53.

Agriculture: Murray Valley Wine and Grape Industry Development Committee — advertising and credit card expenditure

4764. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Murray Valley Wine and Grape Industry Development Committee:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Murray Valley Wine and Grape Industry Development Committee:

- (1) Advertising expenditure for 2003-04 was \$392.00.
- (2) There was no credit card expenditure for 2003-04.

Agriculture: Northern Victorian Fresh Tomato Industry Development Committee — advertising and credit card expenditure

4765. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Northern Victorian Fresh Tomato Industry Development Committee:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Northern Victorian Fresh Tomato Industry Development Committee:

- (1) There was no advertising expenditure for 2003-04.
- (2) There was no credit card expenditure for 2003-04.

Agriculture: Veterinary Practitioners Registration Board of Victoria — advertising and credit card expenditure

4766. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Veterinary Practitioners Registration Board of Victoria:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Veterinary Practitioners Registration Board of Victoria:

- (1) Advertising expenditure for 2003-04 was \$608.00.
- (2) Credit card expenditure for 2003-04 was \$1,839.00.

Agriculture: Victorian Broiler Industry Negotiation Committee — advertising and credit card expenditure

4767. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Victorian Broiler Industry Negotiation Committee:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to the Victorian Broiler Industry Negotiation Committee:

- (1) There was no advertising expenditure for 2003-04.
- (2) There was no credit card expenditure for 2003-04.

Agriculture: Victorian Meat Authority — advertising and credit card expenditure

4768. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Victorian Meat Authority:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to PrimeSafe, which on 1 July 2003 expanded the responsibility of the former Victorian Meat Authority to also include seafood safety:

- (1) Advertising expenditure for 2003-04 was \$5,849.00.

- (2) Credit card expenditure for 2003-04 was \$16,482.00.

Agriculture: Dairy Food Safety Victoria — advertising and credit card expenditure

4769. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to Dairy Food Safety Victoria:

- (1) What was the advertising expenditure in 2003-04.
 (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed that:

In relation to Dairy Food Safety Victoria:

- (1) There was no advertising expenditure for 2003-04.
 (2) There was no credit card expenditure for 2003-04.

Education and training: Adult, Community and Further Education Board — advertising and credit card expenditure

4778. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Education and Training): In relation to the Adult, Community and Further Education Board:

- (1) What was the advertising expenditure in 2003-04.
 (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

The nature of the question and given that identical questions have been asked of a number of different educational bodies indicates that this is not a genuine inquiry but a speculative question and as such a response would require an unreasonable diversion of time and resources.

Education and training: Registered Schools Board — advertising and credit card expenditure

4779. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Education and Training): In relation to the Registered Schools Board:

- (1) What was the advertising expenditure in 2003-04.
 (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

The nature of the question and given that identical questions have been asked of a number of different educational bodies indicates that this is not a genuine inquiry but a speculative question and as such a response would require an unreasonable diversion of time and resources.

Education and training: Victorian Curriculum and Assessment Authority — advertising and credit card expenditure

4780. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Education and Training): In relation to the Victorian Curriculum and Assessment Authority:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

The nature of the question and given that identical questions have been asked of a number of different educational bodies indicates that this is not a genuine inquiry but a speculative question and as such a response would require an unreasonable diversion of time and resources.

Education and training: Victorian Institute of Teaching — advertising and credit card expenditure

4781. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Education and Training): In relation to the Victorian Institute of Teaching:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

The nature of the question and given that identical questions have been asked of a number of different educational bodies indicates that this is not a genuine inquiry but a speculative question and as such a response would require an unreasonable diversion of time and resources.

Education and training: Victorian Learning and Employment Skills Commission — advertising and credit card expenditure

4782. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Education and Training): In relation to the Victorian Learning and Employment Skills Commission:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

The nature of the question and given that identical questions have been asked of a number of different educational bodies indicates that this is not a genuine inquiry but a speculative question and as such a response would require an unreasonable diversion of time and resources.

Education and training: Victorian Qualifications Authority — advertising and credit card expenditure

4783. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Education and Training): In relation to the Victorian Qualifications Authority:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

The nature of the question and given that identical questions have been asked of a number of different educational bodies indicates that this is not a genuine inquiry but a speculative question and as such a response would require an unreasonable diversion of time and resources.

Education and training: Adult Multicultural Education Services Authority — advertising and credit card expenditure

4784. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Education and Training): In relation to the Adult Multicultural Education Services Authority:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

The nature of the question and given that identical questions have been asked of a number of different educational bodies indicates that this is not a genuine inquiry but a speculative question and as such a response would require an unreasonable diversion of time and resources.

Education and training: Council of Adult Education — advertising and credit card expenditure

4785. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Education and Training): In relation to the Council of Adult Education:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

The nature of the question and given that identical questions have been asked of a number of different educational bodies indicates that this is not a genuine inquiry but a speculative question and as such a response would require an unreasonable diversion of time and resources.

Corrections: HM Prison Barwon — capacity

4800. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at HM Prison Barwon.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual prisoner capacity at HM Prison Barwon was 462.
- (2) The actual prisoner population at HM Prison Barwon was 396.

Corrections: HM Prison Bendigo — capacity

4802. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at HM Prison Bendigo.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual capacity at HM Prison Bendigo was 85 beds.
- (2) The actual prisoner population at HM Prison Bendigo was 79.

Corrections: HM Prison Dhurringile — capacity

4803. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at HM Prison Dhurringile.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual capacity at HM Prison Dhurringile was 170 beds.
- (2) The actual prisoner population at HM Prison Dhurringile was 153.

Corrections: HM Prison Langi Kal Kal — capacity

4804. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at HM Prison Langi Kal Kal.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual capacity at HM Prison Langi Kal Kal was 110 beds.
- (2) The actual prisoner population at HM Prison Langi Kal Kal was 107.

Corrections: HM Prison Loddon — capacity

4805. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at HM Prison Loddon.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual capacity at HM Prison Loddon was 399 beds.
- (2) The actual prisoner population at HM Prison Loddon was 386.

Corrections: HM Melbourne Assessment Prison — capacity

4806. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at HM Melbourne Assessment Prison.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual capacity at HM Melbourne Assessment Prison was 275 beds.
- (2) The actual prisoner population at HM Melbourne Assessment Prison was 269.

Corrections: HM Prison Tarrengower — capacity

4807. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at HM Prison Tarrengower.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual capacity at HM Prison Tarrengower was 54 beds.
- (2) The actual prisoner population at HM Prison Tarrengower was 39.

Corrections: Fulham Correctional Centre — capacity

4808. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at Fulham Correctional Centre.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual capacity at Fulham Correctional Centre was 845 beds.
- (2) The actual prisoner population at Fulham Correctional Centre was 717.

Corrections: Dame Phyllis Frost Centre — capacity

4809. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at Dame Phyllis Frost Centre.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual capacity at the Dame Phyllis Frost Centre was 260 beds.
- (2) The actual prisoner population at the Dame Phyllis Frost Centre was 209.

Corrections: Port Phillip Prison — capacity

4810. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Corrections): As at 28 February 2005:

- (1) What was the ‘design’ prisoner capacity at Port Phillip Prison.
- (2) What was the actual prisoner population at this prison.

ANSWER:

I am advised that:

“Design prisoner capacity” is a redundant measure that bears no relationship to actual prison capacity.

As at 28 February 2005:

- (1) The actual capacity at Port Phillip Prison was 744 beds.
- (2) The actual prisoner population at Port Phillip Prison was 734.

Aged care: elder abuse project — government policy

4833. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: Prior to the announcement of the Elder Abuse Prevention Project on 27 March 2005 what were the State Government’s elder abuse policies.

ANSWER:

I am informed that:

The Victorian Government’s policy on elder abuse is that agencies delivering services to older Victorians should work to have protocols and guidelines in place to deal with the maltreatment and neglect of older people. Specialist agencies including the Office of the Public Advocate and the Victorian Civil and Administrative Tribunal Guardianship List also have an important role in protecting the interests of adults who have a disability. Both the criminal and civil law also provide protection and legal avenues for redress. The Elder Abuse Prevention Project will inform the Victorian Government’s ongoing approach to this issue.

Aged care: elder abuse project — opposition initiative

4835. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: Will the Minister confirm that the Elder Abuse Prevention Project is an initiative of the Opposition as announced on 18 January 2005.

ANSWER:

I am informed that:

The Elder Abuse Prevention Project was established following advice to me from the Ministerial Advisory Council of Senior Victorians following my request for them to consider this matter in 2004.

Aged care: elder abuse project — ministerial advisory group of senior Victorians

4836. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: In relation to the report on elder abuse by the working group of the Ministerial Advisory Council of Senior Victorians:

- (1) When was the working group established.
- (2) Who was on the working group.
- (3) When was the report released.
- (4) Is the report a public document.

ANSWER:

I am informed that/as follows:

- (1) The Ministerial Advisory Council of Senior Victorians elder abuse working group was established in April 2004.
- (2) The membership of the group comprised Cliff Picton (convenor), Maria Erdeg, Lola McHarg, Anne Sgrò OAM, Bessie Yarram and Robert Yung.
- (3) The group reported its findings to me in March 2005.
- (4) The findings were not published and were in the form of ministerial advice.

Aged care: ageing workforce employer education project — government policy

4839. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: In relation to the Ageing Workforce: Employer Education Project:

- (1) Does the Government plan to recognise businesses that employ mature aged workers.
- (2) Does the Government plan to utilise the skills of mature aged workers in a volunteer as well as paid capacity.
- (3) Does the Government plan to extend the Ageing Workforce: Employer Education Project volunteer organisations and education institutions who may also use and employ the skills of mature aged workers.

ANSWER:

I am informed that in relation to the Ageing Workforce: Employer Education Project:

1. The Office of Senior Victorians and Victorian Employers' Chamber of Commerce and Industry partnership project is expected to develop an employer champion and recognition scheme.
2. The focus of this project is encouraging the employment, retention and development of mature aged workers in paid employment, be it on a part or full time capacity. There is no plan to use mature aged workers in an unpaid capacity.

3. There are no plans to extend the scope of the project to place mature aged workers in volunteer organisations or educational institutions, however the government has other programs designed to support volunteering in community based organisations.

Attorney-General: Social Shift Pty Ltd — payments

4871. THE HON. GRAEME STONEY — To ask the Minister for Sport and Recreation (for the Attorney-General):

- (1) What payments have been made to Social Shift Pty Ltd since 26 August 2003 by the following statutory bodies:
 - (a) Appeal Costs Board;
 - (b) Crown Counsel;
 - (c) Equal Opportunity Commission Victoria;
 - (d) Legal Practice Board;
 - (e) Legal Profession Tribunal;
 - (f) Office of the Victorian Privacy Commissioner;
 - (g) The Office of the Public Advocate;
 - (h) Solicitor-General;
 - (i) Victorian Legal Aid;
 - (j) Victorian Institute of Forensic Medicine; and
 - (k) Victorian Law Reform Commission.
- (2) On what dates were the payments made.
- (3) What was the nature of each project for which payment was made.

ANSWER:

I am informed that:

There have been no payments made to Social Shift Pty Ltd since 26 August 2003 by the following statutory bodies:

- (a) Appeal Costs Board;
- (b) Crown Counsel;
- (c) Equal Opportunity Commission Victoria;
- (d) Legal Practice Board;
- (e) Legal Profession Tribunal;
- (f) Office of the Victorian Privacy Commissioner;
- (g) The Office of the Public Advocate;
- (h) Solicitor-General;
- (i) Victorian Legal Aid;
- (j) Victorian Institute of Forensic Medicine; and
- (k) Victorian Law Reform Commission.

Police and emergency services: Social Shift Pty Ltd — payments

4872. THE HON GRAEME STONEY — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services):

- (1) What payments have been made to Social Shift Pty Ltd since 26 August 2003 by the following statutory bodies:
 - (a) Adult Parole Board;
 - (b) Country Fire Authority;
 - (c) Country Fire Authority Appeals Commission;
 - (d) Emergency Communications Victoria;
 - (e) Firearms Appeals Committee;
 - (f) Metropolitan Fire and Emergency Services Appeals Commission;
 - (g) Metropolitan Fire and Emergency Services Board;
 - (h) Police Appeals Board;
 - (i) Private Agents Registry; and
 - (j) Victoria Police.
- (2) On what dates were the payments made.
- (3) What was the nature of each project for which payment was made.

ANSWER:

I am advised that:

There were no payments made to Social Shift Pty Ltd since 26 August 2003 by the following statutory bodies:

Country Fire Authority; Country Fire Authority Appeals Commission; Emergency Communications Victoria; Firearms Appeals Committee; Metropolitan Fire and Emergency Services Appeals Commission; Metropolitan Fire and Emergency Services Board; Police Appeals Board; Victoria Police.

The Adult Parole Board comes under the portfolio responsibilities of the Minister for Corrections:

I am advised that there were no payments made to Social Shift Pty Ltd since 26 August 2003 for the Adult Parole Board.

Environment: Norong — tree eradication

4874. THE HON. W. R. BAXTER — To ask the Minister for Local Government (for the Minister for Environment):

- (1) Why are Kurrajong trees, an indigenous species, being poisoned along Buckingham Road, Norong.
- (2) Why are Peppercorn trees being poisoned along Buckingham and Paris Roads, Norong, when boxthorn and blackberries, which harbour rabbits and foxes which destroy native flora and fauna, are being ignored.
- (3) Why is the eradication of smaller Peppercorn trees being executed in such a manner resulting in dangerous 25 cm stumps which will turn into hazards for humans, vehicles and animals when hidden by grass growth in spring.
- (4) Will the dead trees be cleared up or will they be left in an unsightly mess and potential bushfire fuel load as has occurred in other locations where this misguided policy has been implemented, such as Hardings Road, Narioka.
- (5) Why was an historic specimen linked to the first freehold settler, Francois Matile, poisoned.

- (6) Why was this eradication program commenced without any notice or consultation with adjoining landowners.

ANSWER:

I am informed that:

As this project has been instigated and is being managed by the Indigo Shire your question is more appropriately addressed to the Minister for Local Government.

Victorian communities: obesity initiatives — funding

4912. THE HON. ANDREA COOTE — To ask the Minister for Aged Care (for the Minister for Victorian Communities): In relation to the \$10 million granted from the Community Support Fund to Department of Human Services in 2002-03 for prevention and early detection of obesity and diabetes and the \$10M under the Go For Your life initiative allocated to preventing obesity and diabetes:

- (1) Was the second \$10M funded from the Community Support Fund.
- (2) Is the second \$10m an additional or the same amount as previously granted.
- (3) If the amount is a second \$10M why was the additional amount required.
- (4) If the amount is the same \$10M, why has it been rebadged and why has no work commenced since 2002-03.

ANSWER:

I am informed as follows:

The Department of Human Services received one allocation of \$10M for obesity and diabetes prevention from the Community Support Fund.

Obesity and diabetes prevention remain the key outcomes being sought by the Department of Human Services. A decision was made to focus on positive changes people can make and the Go For Your Life initiative (including the marketing campaign and community projects) was developed to promote healthy eating and physical activity. There is clear evidence that healthy eating and physical activity are the primary changes required for obesity prevention for most people.

An overt focus on obesity would potentially disengage many people and increase risk of poor body image and eating disorders. Positive messages, strengthening supportive environments and services, provide the best opportunity for sustainable change.

The Department for Victorian Communities received an allocation of \$10M from the Community Support Fund for physical activity promotion. Implementation of the DVC physical activity promotion initiative is also being implemented through Go For Your Life.

The Go For Your Life campaign was launched on 10 November 2004 and significant progress has been achieved implementing the initiative since this time.

QUESTIONS ON NOTICE

1688

COUNCIL
