

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

**Thursday, 26 May 2005
(extract from Book 6)**

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By authority of the Victorian Government Printer

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JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

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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.

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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 Naphthine 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.

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

Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-FIFTH PARLIAMENT — FIRST SESSION

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Bowden, Hon. Ronald Henry	South Eastern	LP	McQuilten, Hon. John Martin	Ballarat	ALP
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Drum, Hon. Damian Kevin	North Western	Nats	Smith, Mr Robert Frederick	Chelsea	ALP
Eren, Hon. John Hamdi	Geelong	ALP	Somyurek, Mr Adem	Eumemmerring	ALP
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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

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Thursday, 26 May 2005

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

VICTORIAN CHILD DEATH REVIEW COMMITTEE

Report 2005

Mr GAVIN JENNINGS (Minister for Aged Care), by leave, presented annual report of inquiries into child deaths — *Child Protection 2005*.

Laid on table.

ROAD SAFETY COMMITTEE

Country road toll

Hon. E. G. STONEY (Central Highlands) presented report, including minority report and appendices, together with minutes of evidence.

Laid on table.

Ordered that report be printed.

Hon. E. G. STONEY (Central Highlands) — I move:

That the Council take note of the report.

This report was held conjointly with an inquiry into crashes involving roadside objects. One of the main recommendations of that other report affected country areas and the country road toll. I would like to recap and quote from the roadside objects report, paragraph 31 of the executive summary: It states:

That the decisions by road authorities and the Department of Sustainability and the Environment be based on the principle that the safety of road users always take precedence over the conservation of the native vegetation within road reserves.

The inquiry into the country road toll identifies in the executive summary that country road casualties are disproportionately higher and more severe than those in Melbourne. It identifies that crashes have a common characteristic, and that characteristic is that the fatalities are scattered right throughout Victoria and are more severe, obviously because of the higher speeds. We also identified that the road infrastructure was part of that problem. Certainly the casualties in rural Victoria are significantly higher than the state average.

The committee found that measures have been insufficient to reverse the increasing country road toll. It found that hundreds of millions of dollars of public moneys are invested in road safety, and the committee considered that the lack of transparency in funding and expenditure poses a governance and indeed an accountability problem. It considered that targeting the crash risk should be a major guiding principle of Victoria's road safety strategy.

You can see, President, that the committee has been hard hitting. It has really got to the core of some of the issues facing the community with the high road toll in rural Victoria.

Under 'Road infrastructure' in the executive summary the committee says:

Given the size of the country road toll, infrastructure investment, particularly on lower trafficked roads, needs a greater proportion of government funds than it currently receives.

We used information gleaned on our overseas tour, and we said we saw how important it is for Victoria to focus on improving infrastructure safety standards. We said that in particular the government needs to pay more attention to rural road infrastructure and VicRoads needs to change its current road works approach to ensure that the safety of roads users takes a higher priority than mobility and amenity.

We went through a lot of different headings, including 'speed' and 'alcohol'. We restated in the report — and I will restate this because I think it is probably one of the most important things — that:

The committee considers the safety of road users should always take precedence over the conservation of the native vegetation within road reserves.

The report went on to say, however, that:

Important native vegetation should be relocated to, or re-established in more suitable locations. Where an inadequate clear zone is not practicable, appropriately placed barriers provided the highest level of road safety.

When overseas we saw some very good use of wire rope barriers and we saw some good use of what they call over there two-plus-one roads. We also saw some very good use of Armaguard, which is happening here in Victoria but which we think should happen at a much greater level. We talk about speed management, because obviously the faster the speed the worse the crash and the higher the fatality rate. We talk about alcohol, and we identify two main problems in rural communities. One is alcohol itself and the other is the lack of transport options. We talk about fatigue in

country areas and about seasonal and shift work; we talk about haulage of stock and produce as well as long-haul freight that exposes drivers to an increased risk of fatigue. We identified the need for another inquiry into driver distraction.

This is a very good report. I would like to mention members and staff of the committee: the member for Geelong in the other place, Ian Trezise, has been a very good chair; the Honourable Barry Bishop, who has issued a complementary minority report on driver education which I am sure Mr Bishop will concentrate on in his contribution to the debate in a minute; Mr Eren, the honourable members for Frankston, Ivanhoe and Polwarth in the other place — Alistair Harkness, Craig Langdon and Terry Mulder respectively — and the committee's executive team of Alexandra Douglas, Peter Nelson, Graeme Both, Beth Klein and Susie Jovic. The tradition of this committee has been to work at decisions in a bipartisan manner in the interests of all Victorians, and this report has been no exception.

Hon. B. W. BISHOP (North Western) (*By leave*) — It is a pleasure to speak for a couple of minutes on the Road Safety Committee report on the country road toll. I really enjoyed working on this committee. It is a great committee, and it has been under a fair amount of pressure, I suspect, in the last couple of years because it has had to deal with two large and complex reports. The first one was in relation to roadside objects and the second one was on the country road toll.

As the Honourable Graeme Stoney said, the members of the committee have worked well together, and I would particularly like to recognise Graeme Stoney and Mr John Eren from this house, and the members for Frankston, Ivanhoe and Polwarth — that is, Alistair Harkness, Craig Langdon and Terry Mulder — from the other place. I pay particular tribute to the chair, Ian Trezise, the member for Geelong in the other place. He has done a great job. We had some robust discussions during the production of the two reports, particularly this one, but Ian has always been able to find a way through, and we reached cooperative decisions at the end of the day. The management and staff have been well led by Alex Douglas, the executive officer. Our researchers were Graeme Both and Peter Nelson. Beth Klein was there, but she has now left that committee and come over here to work in the Parliament.

As Mr Stoney said, I wrote a minority report strongly supporting the inexperience section in this report. From a personal perspective I did that to ensure I got my views very clearly on the record. I urge people to read

three recommendations in the inexperience section, particularly the last one, which is:

That VicRoads and the Department of Education and Training conduct pre-licence education and training programs such as Keys Please to all pre-licence drivers in the schools curriculum.

I am quite passionate about this and urge the government to pick up those recommendations.

Motion agreed to.

PAPERS

Laid on table by Clerk:

Crown Land (Reserves) Act 1978 — Minister's Order of 14 December 2004, giving approval for the granting of a lease at Yarra Bend Park (two papers).

Falls Creek Alpine Resort Management Board — Minister's report of failure to submit 2004–05 report to him within the prescribed period and the reasons therefor.

Mitcham-Frankston Project Act 2004 — Orders in Council of 17 May 2005 varying the Project Area and Extended Project Area (four papers).

Mount Baw Baw Alpine Resort Management Board — Minister's report of failure to submit 2004–05 report to him within the prescribed period and the reasons therefor.

Mount Buller and Mount Stirling Alpine Resort Management Board — Minister's report of failure to submit 2004–05 report to him within the prescribed period and the reasons therefor.

Mount Hotham Alpine Resort Management Board — Minister's report of failure to submit 2004–05 report to him within the prescribed period and the reasons therefor.

Statutory Rules under the following Acts of Parliament:

Administrative Appeals Tribunal Act 1984 — Planning and Environment Act 1987 — Subdivision Act 1988 — No. 30.

Alpine Resorts (Management) Act 1997 — No. 31.

Planning and Environment Act 1987 — No. 33.

Subdivision Act 1988 — No. 32.

Victorian Civil and Administrative Tribunal Act 1998 — No. 34.

Subordinate Legislation Act 1994 — Minister's exemption certificates under section 9(6) in respect of Statutory Rule Nos. 32 and 33.

Youth Parole Board and Youth Residential Board — Report, 2003–04.

MEMBERS STATEMENTS

Members: attendance

Hon. B. N. ATKINSON (Koonung) — I want to express my concern about the lack of respect that has been shown to this chamber by government members over the past few weeks. It is outrageous that the government is not able to maintain a quorum in this place; it is its responsibility to maintain a quorum. Frequently in the last two weeks we have had but two government members in this chamber. It is outrageous.

An honourable member interjected.

Hon. B. N. ATKINSON — I do not know what the priorities of government members are. I do not know what their attitude towards this house is, or if they have respect towards it, but it ought to improve. This chamber is supposed to play an important part in the examination of legislation. I would have thought government members would want to support the government's legislative program, yet that seems to be anything but the case when they do not turn up to the Parliament, fail to maintain a quorum and force the opposition to call them back to the chamber to participate in or listen to debate. The ministers have a roster system. That is acceptable; that has always been the practice of this house. But government backbenchers do not seem to be able to organise themselves, or the Government Whip or leadership does not seem to be able to provide a roster system that ensures that an adequate number of government members participate in the proceedings of this house. It is outrageous; it is a contempt of Parliament. It ought to be addressed by the government as a matter of urgency to show greater respect to this house and, I would have thought, to show greater support to the government's legislative program if it really believes —

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

Heide Museum of Modern Art

Ms ARGONDIZZO (Templestowe) — On 25 May I had the pleasure of inspecting the progress of the Heide gallery with the Minister for the Arts in the other place, Mary Delahunty. The Bracks government has committed \$2.7 million over a four-year period towards the redevelopment of Heide III in the 2005–06 arts budget. This is in addition to the \$650 000 annual allocation which will enable Heide to plan and develop its programs for the reopening in 2006. The funding represents a major government investment in the arts, and in this case it will assist in the enhancement of

programs run for schoolchildren and maintain the heritage-listed building, Heide I, and the park and gardens, as well as providing a home for some 200 pieces of art from the Albert Tucker collection and archives.

Barbara Tucker has generously donated to the gallery around 200 pieces of artwork, mostly work by her late husband, Albert, and some work by Joy Hester, Josl Bergner, Danila Vassilieff, Sidney Nolan and Arthur Boyd. This is a very generous gesture, and I am sure many people will be grateful for the opportunity to visit and appreciate the art works. Heide is a unique asset in a very special part of the state. It is set in a magnificent park and is available for all to enjoy. The Tucker gift to Heide will be progressively donated over the next few years, and the first 16 pieces will be in the gallery this year. This is one of the most significant donations of artworks in Australia, and Heide is very fortunate to be the recipient of such brilliant works.

Member for Central Highlands Province: performance

Hon. W. A. LOVELL (North Eastern) — I rise to condemn the Honourable Robert Mitchell, a member for Central Highlands Province, for his betrayal of Australia's heritage. It was Mr Mitchell's involvement and complicity in the Bracks government's disgraceful decision to end grazing on Victoria's alpine high plains that will end 170 years of the mountain cattlemen's custodianship of this unique area. Mr Mitchell's involvement in this was a very personal one. Many of his constituents in the high plains were relying upon and trusted him to deliver a plan that would see their custodianship of the area continue for generations to come. Instead, Mr Mitchell conspired secretly with the Minister for Environment, John Thwaites, to deny cattlemen — —

Hon. M. R. Thomson — On a point of order, President, I seek a ruling regarding the making of allegations against a member in 90-second statements. Allegations against members of this place should not be made in members statements. If allegations are to be made, they can be made by substantive motion.

The PRESIDENT — Order! The normal rules of debate apply to 90-second statements — that is, that allegations against other members, the Chair or members of another house cannot be made without a substantive motion. That was a ruling made in 2002 by my predecessor. In her contribution Ms Lovell referred to Mr Mitchell. The member is well aware that if allegations are to be made, they are to be made by substantive motion. If the member crosses that line, I

will be forced to sit her down because she is not allowed to do that. Ms Lovell can continue with her contribution, but she will not make an allegation against any member of this house, or against any member for that matter, in 90-second statements.

Mr Smith — On a point of order, President, I distinctly heard Ms Lovell say that the Honourable Robert Mitchell had conspired with the minister. That being so, I ask that at the very least that comment should be withdrawn.

The PRESIDENT — Order! The member in question is in the chamber, and he must ask for a withdrawal, not another member. The minister raised a point of order, and I have indicated to Ms Lovell that she is not allowed to make an allegation. Because the member concerned is in the chamber, it is up to him to ask for a withdrawal. In that sense, I do not uphold the point of order.

Hon. R. G. Mitchell — I ask for a withdrawal.

The PRESIDENT — Order! The member has asked for a withdrawal of the words ‘conspired secretly’. On that basis, I ask Ms Lovell to withdraw.

Hon. W. A. LOVELL — I withdraw that Mr Mitchell conspired — —

The PRESIDENT — Order! When I direct a member to withdraw, the member withdraws, and that is the end of it. There is no commentary to be made before or after the withdrawal. In withdrawing the member should not repeat the words, otherwise it is not a withdrawal as directed by the Chair.

Hon. W. A. LOVELL — I withdraw.

Hon. E. G. Stoney — On a point of order, President, without reflecting on you, I believe in this case there was some confusion about which section was to be withdrawn, and I am sure Ms Lovell was only clarifying what was to be withdrawn.

The PRESIDENT — Order! On the point of order, I directed the member to withdraw the words that were offensive, so I do not think there was any misunderstanding, but I ask the member again to withdraw and to continue her contribution.

Hon. W. A. LOVELL — I withdraw.

The local people on the high plains feel betrayed by Mr Mitchell and this will not be forgotten in our region. Mr Mitchell will go down in history as the man who killed the Man from Snowy River. I have in my hand

the traditional consideration given to all betrayers — 30 pieces of silver — and I present them to Mr Mitchell.

Honourable members interjecting.

The PRESIDENT — Order! The member is not allowed to use props in the house. I ask the attendant to remove the props from the member. Has the member concluded?

Hon. W. A. LOVELL — Yes.

Planning: Coastal Spaces project

Ms CARBINES (Geelong) — Last Friday I was pleased to attend the launch at Portarlington of the coastal spaces inception report by the Minister for Planning in the other place. The Victorian Coastal Spaces project, headed by Diane James who is the chair of the Victorian Coastal Council, is a major initiative of the Bracks government and is charged with developing strategies to manage the increasing development pressure along the Victorian coast.

The coastal spaces inception report sets out ways to protect the coast and manage development in coastal Victoria. At the launch Minister Hulls sent a clear message to local councils and developers that inappropriate developments along the coast would not be accepted. Minister Hulls has written to councils directing them to ensure that growth occur within township boundaries in order to avoid the ribbon-type coastal development that has occurred in Queensland and northern New South Wales.

The coastal spaces inception report identifies opportunities for state and local government to work together to improve the management of Victoria’s coastline. It will be used as a basis for consultation with all key stakeholders to find the most appropriate ways to address the challenges involved in further protecting our coasts and managing growth pressure. I congratulate the Victorian Coastal Spaces project team for their excellent work so far and for their commitment to protecting what we all love about Victoria’s coast

Royal Melbourne Hospital: ambulance bypass

Hon. D. McL. DAVIS (East Yarra) — My statement today concerns the Royal Melbourne Hospital and the state government’s mismanagement of that important hospital. The hospital has been on bypass this week. Indeed, on Monday the hospital was on bypass for 8 hours between 3.00 a.m. and 7.00 a.m., from 10.00 a.m. to midday, and from 9.00 p.m. to 11.00 p.m. The hospital has been on bypass 20 times in

the last fortnight. That is a disgrace. This government promised to fix the bypass problem. Instead, the bypass problem has worsened. In fact, it is covering up the bypass problem by changing the measures that are reported. Victorians want to see comparable bypass measures. Bypass is out of control at the Royal Melbourne Hospital because the state government is cutting hospital beds by about 9 per cent.

I have in front of me a news release dated 13 May 1999 in which the Premier attacked the former government for closing beds at the Royal Melbourne Hospital. There were 384 beds, but he claimed there was a closure of beds. I am here to tell you, President, and the chamber that as of yesterday there were only 350 beds open at the Royal Melbourne Hospital — a cut of 9 per cent. Is it any wonder that the hospital was on bypass when people cannot move out of the emergency department into the general hospital? The closure of beds is harming patients and is forcing them to go elsewhere. The minister should be in disgrace on this important —

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

Education: legislation review

Ms ROMANES (Melbourne) — Currently the government is undertaking a review of education and training legislation, the first fundamental review of its kind since our forebears in the Victorian Parliament introduced the Education Act in 1872. Those members of Parliament in 1872 were very forward looking. The concept of free compulsory and secular education which underpins the Education Act have stood our education system in good stead for over 130 years.

Concurrently there is a review of school governance, which is examining the role of school councils in government schools, to see how they can best contribute to public education and outcomes for schools and students. In April and May the member for Brunswick in the other place, Carlo Carli, and I, held two community education forums in Brunswick town hall, to encourage parents, teachers, school councillors and interested community members to consider and contribute their views to the two reviews. I would like to thank the mayor of Moreland, Cr Mark Higginbotham — who has his own personal family link to an education reformer of the 1870s, George Higinbotham — and councillors of Moreland who attended and supported the forums in acknowledgment of the importance of education to the young people of their municipality of Moreland.

Fernlea House: funding

Hon. A. P. OLEXANDER (Silvan) — This morning I would like to welcome the news that Fernlea House has finally been granted its zoning exemption approval to operate as a palliative care hospice in what is a green wedge zone. This will allow the \$800 000 commonwealth government grant, which was obtained for the hospice by the federal member for La Trobe, Jason Wood, to begin to be released, and I congratulate Jason Wood for a sterling effort in supporting the cause of the palliative care hospice in this way. Jan Lancaster and Leonie Williams and their team of community volunteers have made a huge effort over the last months to get this hospice to where it is today. But they need more help. The Bracks government needs to act in recognition that there needs to be state government support for palliative care in the outer east. It is time for the government to step up and fund Fernlea House to levels where it can operate as a 24-hour care facility. This is what the community expects. This is the dire need in the region, and nothing less will be acceptable for local people.

Geelong bypass: funding

Hon. J. H. EREN (Geelong) — I am angry that the people in Geelong are being taken for fools by both the state and federal Liberal Party over the Geelong ring-road project. I find it offensive that the member for Polwarth in the other place and the federal member for Corangamite would sell out their own residents and voters to score cheap political points over the Scoresby project — a road their residents will probably never use. I call on Terry Mulder and Stewart McArthur to stop their political games and stand up for their residents and not their political cronies on the other side of Melbourne. They can try to muddy the waters by attempting to link the Geelong bypass funding with the Scoresby project funding, but I can assure them that the people of our region are no fools. This political game playing is causing great distress to the constituents of Terry Mulder and Stewart McArthur, as well as my own, and that is just not good enough. I hope they both realise that their own state Liberal Party policy at the moment is to buy back the Scoresby tollway for \$7 billion; that is right — \$7 billion!

This will mean that Geelong and the Western District can say bye, bye to any spending on roads in our region, not to mention health, education and policing, all so that they can maybe win a couple of seats in the eastern suburbs; because that is all the Scoresby project is to the Liberal Party — a way to get some votes out of the eastern suburbs. 'Stuff Geelong and the rest of the state!'; that is what they are essentially saying. Why

cannot the Liberals in Geelong and the Western District have the guts to stand up for our area like their counterpart — —

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

Manufacturing: program funding

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — In the 2005–06 budget the government has failed the manufacturing industry. Since November 2000 employment in manufacturing has fallen by 33 000. Since 1999 capital expenditure in the Victorian manufacturing industry has fallen by more than 15 per cent. The government's only response has been the token measures in the Agenda for New Manufacturing, which was announced as part of the Building Tomorrow's Businesses Today in April 2002, with a glossy booklet, a ministerial photo and a media opportunity. Funding under these programs runs out in June 2006, and despite the calls from industry groups for the program to be extended to 2010 and expanded, the Minister for Manufacturing and Export has failed to secure any funding in the budget. I call on the minister to resolve the uncertainty about the future of these programs, to go cap in hand to the Treasurer, and to secure the funding that the industry is calling for.

Industrial relations: federal legislation

Mr SCHEFFER (Monash) — Later today the Prime Minister will announce federal changes to industrial relations laws and in a matter of weeks the Howard government will assume control of the Senate and be in a position to carry out its anti-worker and anti-union legislation. Fair-minded Australians will, in the end, reject the intention of the legislation and ultimately a future Labor government will repeal it. The Honourable Bill Baxter has said a couple of times in the past weeks that Labor is tenacious and thinks over the long term — it does, and that is why this policy will be defeated. The Australian industrial relations system is based upon the principles of conciliation and arbitration, the negotiated settlement of industrial disputes and the protection and advancement of the living standards and working conditions of Australian workers. The role of trade unions in this system is fundamental to its success. The union movement supports the advancement of the Australian economy through the development of industry awards, the social wage and the acceptance of an industrial relations system based on enterprise bargaining and the safety net award system. There is no issue that is more important to the labour movement and to the Labor Party. The Howard government's industrial relations

program may look invincible now, but it will unravel in the same way as its asylum seeker detention policy is now falling apart. In the end the community will reject this politically motivated attack.

Alpine National Park: cattle grazing

Hon. W. R. BAXTER (North Eastern) — I want to refer again to the very sad ending of our great Australian heritage of grazing in the alps, and I want to read into the record an open letter from the Alpine Conservation and Access Group which says:

ACAG's 900 photos do tell the true story, Mr Thwaites and Mr Bracks. Your taxpayer funded campaign to denigrate cattle grazing and praise your efforts is the lowest of low, despicable gutter tactics.

Minister Thwaites was deeply troubled and distressed on television last night. He indicated that the photo show in the media advertising was not ... one he had seen.

ACAG has warned him many times, but he has elected to keep his alliance with the Victorian National Parks Association and the dark green terrorists. This action will cost them government.

ACAG challenge the authenticity and legitimacy of all advertising. We ask when they were taken, and how much they have been interfered with. We believe that one photo in the *Herald Sun* was taken below the snowline. It reeks of the tactics used by the VNPA, so now none of the government's advertising campaign will be credible.

It is the lowest of the low knife thrust to the heart, to deal a death blow to our 170 year heritage and a most important best practice conservation tool, grazing.

You and your government stand condemned for not accepting ACAG as a most credible, sincere and honest non-profit ... group, elected by the people at an Alpine shire-convened meeting in 2003. The group strives for acceptance — —

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

Agriculture: rice cultivation

Mr SMITH (Chelsea) — I would like to express my amazement and disbelief at an article in yesterday's *Australian* newspaper which outlined the true cost to Australia of producing rice. Given that most Australians now know the importance of water to the driest continent on earth, especially since the Bracks water initiatives, it is scandalous that governments allow the wasteful practice of using 21 000 litres of water to produce 1 kilogram of rice to continue. I say that the federal and state governments, environmental scientists and farmers should convene a conference to decide what crops are appropriate to grow in Australia and where they should be grown. This will maximise

use of our resources, maximise our productivity, and financial benefits to both farmers and the nation will ensue. I also note that scientists are now calling for farmers to leave the land in those drought-stricken areas of the country that are no longer arable. I think it is time we all started to listen to our environmental scientists, especially those from the Commonwealth Scientific and Industrial Research Organisation who are eminently qualified in these areas and farmers should wake up to themselves.

Detention centres: children

Hon. H. E. BUCKINGHAM (Koonung) — I wish to speak again — for the third time — about children in detention. On Tuesday Naomi Leong, a three-year-old born in Australia in detention to a Malaysian mother in detention, was released. This is commendable, but what about the other children — 8 on Christmas Island, 2 in Baxter, 19 in Port Augusta, 28 at Villawood, 6 at Nehru, 1 here at Maribyrnong, and the new baby, Michael Tran, born in Perth on Tuesday to Vietnamese parents. Yesterday morning federal minister Amanda Vanstone said that Michael Tran would be returned to Christmas Island. Four hours later, during question time in the federal Parliament, Prime Minister Howard said that the child and his mother would remain in Perth.

This is policy on the run. The Palmer inquiry into wrongful detention, which was initially established to look at two cases — Cornelia Rau and Vivian Alvaraz Solon — is now to investigate 200 other cases. Mr Palmer has reputedly said that this is beyond the scope of his inquiry and that there must be an inquiry that has judicial powers. The immigration department must be accountable administratively and judicially. I salute Petro Georgiou and five other federal Liberal backbenchers who will support his private members bill to end the detention of children, and to allow all others who have been in detention for over 12 months to enter the community whilst their cases are assessed. Nations are judged on their human rights records. Sixty-four children should not be held in detention in Australia in 2005.

Casey: volunteers

Hon. J. G. HILTON (Western Port) — Recently I attended an event in Casey which recognised the tremendous contribution volunteers make to the Casey community. Each year Casey announces volunteer awards in six categories. This year they were family and community support, won by Pat Whaley; sport and recreation, won by Keith Dawson; arts and cultural, won by Pat Perry; the environment/conservation award, won by Stephen Hallett; the young volunteer award,

won by Mathew Sadler, and the innovation award, won by Spectrum Entertainment. I would like to congratulate all the winners. They are tremendous role models for the rest of the community.

I understand that in Casey 10 000 people volunteer in some way. Without that contribution Casey would be a far less attractive place than it currently is. Every volunteer who does something makes life a little better for someone else in Casey. Congratulations to the award winners, all the volunteers in Casey and the City of Casey for recognising its volunteers in such a public and positive way.

Elsternwick Amateur Football Club: centenary

Mr PULLEN (Higinbotham) — I rise to congratulate the Elsternwick Amateur Football Club on reaching 100 this season. Elsternwick is the third-oldest club in the amateurs competition and the oldest surviving district club. Some 1670 players have represented the club over 100 years, including me for one season. Its first premiership came in 1920, the first A-grade flag in 1925, followed by the B-section one in 1939, a flag in D section followed in 1951, in E section in 1971 and 1975, and in F section in 1991.

On the Friday night before the centenary ball Elsternwick defeated long-time rival Albert Park — formerly ANZ Bank team — under lights at Elsternwick Park to take out the Tom Brain cup. Tom has been involved with both clubs and is a long-time administrator with the amateurs.

The win left Elsternwick on top of the D4 ladder undefeated. On the Saturday evening the club held a centenary ball with over 360 people present. It was a wonderful night. The master of ceremonies was a former member of this place, Ian Cover. At the ball the team of the century was announced along with the first 10 inductees into the hall of fame. I congratulate president Adam Hankin and his centenary committee on a wonderful centenary weekend.

STATEMENTS ON REPORTS AND PAPERS

Tweddle Child and Family Health Service: report 2004

Hon. ANDREA COOTE (Monash) — I have great pleasure in speaking today on the Tweddle annual report for 2004. Tweddle is a child and family health care centre that has been a part of the fabric of Victorian society since 1920. It is located in Footscray and has become an icon. It looks after many issues

concerning parents and families after a child is born and offers a family-centred program.

I know a lot about this program because I was a board director of the Queen Elizabeth Centre, which offers similar programs. Here in Victoria we are extremely lucky to have programs such as this to help and support parents and young children. Tweddle looks after newborns to children aged four. I have to say there is no other country in the world that offers facilities such as we are able to enjoy here in Victoria.

But Tweddle now has to downsize its services due to limited funding. It is underfunded by hundreds of thousands of dollars. With the demands of society — and indeed the breakdown of the extended family and a number of additional pressures on young women going back to work early and not having sufficient time to look into parenting — it is essential that centres such as Tweddle get adequate funding. But this government has been recalcitrant about its funding and probably has not read this annual support sufficiently to know the excellent work being done.

There is a 10-week waiting list now, and as Vivienne Amery, chief executive, is reported to have said:

It is extremely difficult to tell a mother who comes to our doorstep pleading for help that she has to wait 10 weeks to be served. These issues demand immediacy.

The government's response to this issue of underfunding appears in yesterday's *Age*, which reports:

The department is assessing the financial position of Tweddle and will work with them on strategies to support the future viability of the service ...

Tweddle's response to this is from its chief executive, Vivienne Amery, who said:

The government has been assessing Tweddle for two years and we are sick and tired of waiting for a response or action on the issue.

Tweddle is asking the government to increase its funding as a matter of urgency.

As Victorians we need to encourage extra funding for this service. We want our community to be strong, healthy and supportive, and we want our children to grow up knowing their parents and having a good relationship with them. It is essential that more funding is given to Tweddle, particularly in the western region of the state. It is vital. Tweddle provides a residential care service and has some excellent outreach programs, but it is not going to be able to do this 24 hours a day, 7 days a week unless it receives sufficient funding very

quickly. The government came out with *A Fairer Victoria*, but that does not apply to young parents who need help and support in the western suburbs, because the government has not looked at Tweddle, has not given the service sufficient funding, and it should be castigated for that.

I will read from the report what Tweddle's mission is. It says a lot about what Tweddle means to our community. It states:

Tweddle Child and Family Health Service provides a specialist health development and family support program aimed at strengthening independent family functioning, promoting health and preventing illness and injury. It is concerned with the optimal health, growth and development of all clients.

We see today an increasing number of young people needing support in their parenting process. A number of children need reinforcement of their sleeping patterns. I can remember being on the board of the Queen Elizabeth Centre and having young professional women in particular turn up at the centre and say, 'We decided to have the baby on this date. We have had the baby, but since it arrived it has not stopped screaming. There is something wrong with this baby'. The baby would then go into the Queen Elizabeth Centre and through its program, as they do at Tweddle. In those cases it was not the baby's fault. The young professional mother did not have a network to assist her or the understanding to help and support her baby when it cried, to know what the parameters and boundaries were. We see a number of real life television programs these days, and one I note in particular is called *Super Nanny*. It is a pity that our community, and indeed it is an indictment on it, has to resort to television to get the necessary services, backup and support that could be so adequately provided by Tweddle.

The last thing I want to comment on is the obituary that appears in the back of the report for Mrs Winifred Mary Kate Stephens. I also commend Win Stephens, who was a very fine woman. — —

The ACTING PRESIDENT (Hon. Andrew Brideson) — Order! The honourable member's time has expired.

Monash University: report 2004

Hon. J. G. HILTON (Western Port) — This morning I would like to make a statement on the Monash University annual report for 2004. As members would know, Monash University is one of our premier educational institutions. From its annual report we see that its revenue is approaching \$1 billion. The vice-chancellor notes in the report a number of

developments that took place in 2004, and I would like to mention just a few of those. Planning commenced for stages 2 and 3 of the \$300 million Monash science, technology, research and innovation precinct. The university's Malaysia campus announced plans to offer bachelor of medicine and bachelor of surgery degrees in 2005. Australia's newest and largest business school, the Monash graduate school of business, was unveiled. It is based in the faculty of business economics. The vice-chancellor also noted that six Monash University students were part of Australia's team at the Athens Olympic Games. The university remained committed to quality research and was awarded over \$64 million in research funding last year.

The report details the achievements of various faculties in the university, which include art and design, arts, business and economics, education, engineering, information technology, law, medicine, nursing and health sciences, science and the Victorian College of Pharmacy.

I would like to instance two of these faculties for further comment. The faculty of education provides initial and further education of teachers for early childhood, primary, secondary and adult students, provides undergraduate studies and sport and outdoor recreation, and offers postgraduate award and non-award psychology studies in counselling, human development and inclusive or special education.

Enrolments in the faculty increased by 9.5 per cent, which reflected the high demand for its services. The university is able to offer a range of faculty programs. In 2004 the faculty expanded its range of courses by introducing the bachelor of visual arts and the bachelor of education, which is a double degree at the Clayton and Peninsula campuses. The faculty's international student enrolments continue to grow.

The Bachelor of Early Childhood Studies was successfully offered in Singapore for the first time. The university is now planning to offer programs in Hong Kong and China from 2005. The faculty has a large research preparation program with 12 per cent of students enrolled in research degree programs at either doctoral or masters level.

I close by mentioning some brief comments on the faculty of business and economics. The faculty launched the Monash University graduate school of business which combines the Master of Business Administration degree with the faculty's extensive range of high-quality postgraduate coursework programs, including those in accounting and finance,

management, marketing, applied economics, business law and tax.

The education of international students is one of Australia's fastest growing export industries and contributes \$5 billion to the Australian economy. The faculty made a contribution to this growth by leading a strategy to develop the university's profile in North Asia, with a focus on China, particularly among government officials and senior executives of Chinese universities. The faculty is building a network of partnerships with China's foremost universities to collaborate on courses which undertake research.

In total, Monash had nearly 50 000 students enrolled in Australian courses, which comprise 23 000 at Clayton, 13 000 at Caulfield and 2700 at Peninsula. This total does not include students enrolled at international campuses.

I congratulate the university and commend it on the significant contribution it makes to our community, particularly in its education of our young people on which the future of our country obviously depends. The university had a good 2004, and I wish it every success in the years ahead.

South East Water: report 2003–04

Hon. R. H. BOWDEN (South Eastern) — I wish to make some comments on the 2003–04 annual report of South East Water.

Hon. J. G. Hilton — On a point of order, Acting President, I am not sure if it is Mr Bowden's amnesia or laziness, but he made a contribution on the 2003–04 South East Water report earlier in these sittings of Parliament — on 24 March 2005.

The ACTING PRESIDENT (Hon. Andrew Brideson) — Order! There is no point of order. An honourable member can make statements on numerous occasions on the same report.

Hon. R. H. BOWDEN — I am sure Mr Hilton, as he acquires more experience in the chamber, will understand that points of order should be used in a measured way.

My contribution is, firstly, to say that I am pleased with South East Water, and I will talk about South East Water constantly as the months go by because it is a worthy organisation and plays an important role in the community. Even Mr Hilton may understand that at times it is helpful to our mutual constituents to let them understand some of the activities of the important institutions in their area.

Moving to the report, I commend the South East Water organisation for a report that is easy to read, that is well constructed and which is available to the public to let them know the activities of this organisation which provides a very important public service and a commodity that we all require.

It is interesting to know that the latest report shows there are 1.3 million people in an area of 3647 square kilometres served by this organisation which ranges in its geographic responsibility from the port of Melbourne to Portsea, Mordialloc and about 40 kilometres east of Berwick. It is quite diversified in its geographic area. It is complex and is one of the two water and effluent treatment organisations in our state which performs this very important function.

I would like to highlight some aspects which are worthy of note: 48 per cent of the customers contacted by South East Water rated it 10 out of 10, which is very creditable. The profit reported in this time frame was \$118.9 million net. There were 13 700 new customers added to the base served. There are 537 700 residential water customers, 507 500 residential sewer customers and 48 500 non-residential water customers. That is a very big responsibility.

In terms of revenue the organisation has a substantial turnover. In 2004 it reported \$375.626 million turnover compared to \$388.249 million in 2003. That is a small drop, but it is positive because of the impact of the need to conserve water and measures taken. Also, there was a decline in the activities of the construction industry which in turn meant there was a slight decline in the amount of water used. That is not a difficulty — that is a natural event.

An item I would like to report on is that this is an important organisation for employment. Out of the revenue of \$375.626 million the expenses for employees were substantial — there are more than 400 full-time equivalent employees in the organisation. That is a diversified range of talents and opportunities for many people. I would like to close by saying that in addition to the profit interest was paid to the Treasury Corporation of Victoria of \$22.2 million. All in all it is a worthwhile organisation which plays an important role and deserves support.

South East Water: report 2003–04

Ms CARBINES (Geelong) — I, too, am very pleased to rise in the house to speak in relation to the South East Water 2004 annual report. I have not spoken on it before. This report, as Mr Bowden has said, is very well constructed and easy to read. It is attractive

and informative not just to its consumer and customer base but to others who live outside of the area in which South East Water operates. I have certainly enjoyed reading about the business and its interest in ensuring that its customers are well informed. South East Water explains exactly who it is on page 6 of the annual report. It is one of Melbourne's three water retailing businesses. It is a state-owned company providing water and sewerage services to over 586 200 residential, commercial and industrial customers. It services some 1.3 million people throughout 3640 square kilometres from Port Melbourne to Portsea and Mordialloc to some 40 kilometres east of Berwick. It is a huge, diverse geographic area and it services this area very well.

I was interested to read the message from the chairman and the managing director. The chairman is Dr Nora Scheinkestel and the managing director is Dennis Cavagna. I was very impressed by the tenor of their message. They signal that South East Water is wanting to take a key role in educating its community and consumers about the need to conserve water, and the role it can play to make sure Victoria's water resources are secured not just for its own purposes but for years to come. They reinforce that in their message by saying there have been eight years of below-average rainfall. The report details some of the ways the company has chosen to work with the community to reduce demand by educating it about the need to conserve water and how easy and practical it is to do that. The chairman and the managing director have used a couple of examples in their message, such as the introduction of state-of-the-art leak-detection technology which has allowed South East Water to significantly curb water loss within its own network. They expect that other water authorities will look to them as leaders in the industry in relation to this technology to detect leaks.

I was very pleased to read that South East Water has also achieved 100 per cent recycling at four of its Western Port sewerage treatment plants. That is very admirable. It has used over 2000 megalitres of recycled water for irrigation and urban potable water substitution projects. I commend it for that achievement over the course of 2004. South East Water does not rest on its laurels. We see on page 8 that it is planning substantially for the future and making sure that consumers of their water services are going to play their part, as the rest of Victoria is, in securing our water future together.

South East Water estimates that of the over 1 million extra people that can be expected to live in Melbourne over the next 30 years, some 40 per cent of the growth in population will be in South East Water's service

area, so it is planning carefully for the future and making sure that it will have the water resources to service the expected 40 per cent increase in its service base over the next 30 years.

The report identifies some case studies about significant efforts to recycle water. I would like to mention the efforts made by South East Water to assist the Sandhurst Club in achieving that goal. I was particularly pleased to see the efforts made in the Bayside Water Saver campaign, as the Bayside municipality is a very high consumer of water.

Economic Development Committee: economic contribution of Victoria's culturally diverse population

Hon. B. W. BISHOP (North Western) — I would like to take this opportunity to make a few remarks on the Economic Development Committee's report on the economic contribution of Victoria's culturally diverse population. I note that three members of this chamber are on that committee: the Honourable Bruce Atkinson, who is deputy chair, the Honourable Ron Bowden and Mr Pullen. I note also that the committee has travelled quite extensively in its inquiry. It has been to Mildura, Swan Hill, Shepparton, Milawa, the Latrobe Valley and Canberra, and I would expect that some of our people from Robinvale may have seen them in Mildura. I believe it would have been a real insight for the committee to go to Robinvale and see the rich cultures that exist there with the many nationalities.

This is a very good report. What I am interested in now, of course, is the government's response to the report which has just come through. I would like to touch briefly on a few of the recommendations and what the government's view is on those.

Recommendation 3.4 says:

The department of education, in conjunction with the Victorian Multicultural Commission, review the way in which ESL resources are allocated to schools with unforeseen migrant enrolments, with a view to ensuring the timely provision of adequate language instruction.

I think that is an excellent recommendation, particularly in relation to places such as Robinvale. I see that the government has supported this recommendation in principle. I certainly would have liked — and I am sure the community of Robinvale would join me — to have seen a much stronger expression of full support there. I suspect places like Robinvale are classic examples of where you would get some unexpected intakes of students into the schools that would require the ESL programs.

I would urge a much more focused approach from the government in relation to the people at places like Robinvale. I think we probably try to compartmentalise areas around the state into one box, if you like, and I would suggest that Robinvale is rather unique and deserves a different focus on what we have seen here. However, there is a bit of a light at the end of the tunnel, and I note in the government's response it says that if any gaps in the existing arrangements are identified through consulting with ethnic communities, the Department of Education and Training will consider them. I think that is fine. Let's see how that one goes.

The next one was recommendation 3.5, which talked about reviewing:

... current policies on the placement of migrant children, with a view to ensuring they are located in skill-appropriate settings.

This is not supported by the government. I am a bit disappointed in that. I am not an educator, but I would have thought that a less rigid approach, again in places like Robinvale, might have been the way to go. It has obviously sounded pretty good to the committee; otherwise they would not have recommended it, and certainly they have had representations in that particular area. So again I suspect that it mixes in with the one we talked about previously, recommendation 3.4, but I would like to see more focus on that as well.

I note again that there is a bit of an escape road in the government's response to the report, when it says about recommendation 3.5:

The Victorian Multicultural Commission will continue to consult with ethnic communities on this issue.

I think it is absolutely crucial that that is done in places like Robinvale. I understand the thrust of keeping our students in the approximate age settings, but from my personal experiences there, I am sure they would be a couple of recommendations that would be very much welcomed in relation to Robinvale. I will continue to speak during sessions of Parliament on this report.

As I have said, I think it is an excellent report. I do not have time to go through it all today. I know it has been appreciated by the communities that I represent, particularly Mildura and Robinvale, and I think it is good that the government and the parliamentary committees can go into these areas and make these recommendations. I will be making some further comments during the coming months about the government's response to this good report.

Planning: ministerial intervention statement 2005

Ms ROMANES (Melbourne) — I wish to comment on the annual statement to Parliament by the Minister for Planning in the other place, Rob Hulls, on ministerial intervention in planning matters. This annual statement to Parliament does have a history. It was in response to the highly controversial, ad hoc and unaccountable interventions of the previous planning minister, Robert Maclellan, in the Kennett government, that the Bracks government acted quickly to introduce full accountability for powers exercised by the Minister for Planning.

In December 1999 the Minister for Planning issued guidelines in the form of a practice note to clearly define the scope and limits of ministerial intervention in planning matters, and to furthermore guarantee that any use of such powers is open and accountable, and the written reasons for intervention given for each decision made publicly available, including an explanation of how the circumstances of the matter met the requirements of the guidelines and the legislative criteria for that action. Furthermore, this material has also been made available on the Department of Sustainability and Environment's web site.

The report that was tabled in the Parliament earlier this week covers the past 12 months and shows that there have been 72 amendments to planning schemes approved, 6 matters from the Victorian Civil and Administrative Tribunal called in, 5 permit applications which were referred to the minister for decision, making a total in the 12 months to April 2005 of 83, compared with a rate that was double that under the previous Kennett government and heavily weighted to call-ins.

If you look closely at the ministerial interventions that are outlined in the report to the Parliament, you see that there are 20 that outline interim heritage controls and natural vegetation controls and limits for building heights, there are 22 that cover technical corrections to planning schemes, there are 22 facilitator-specific projects of state or regional significance, and there are 6 called in from VCAT and 5 permit applications that have gone directly to the minister.

There are also eight changes to the Victorian planning provisions across the state that are applicable to all planning schemes. Amongst those is the move from 4-star to 5-star energy rating, which is mandated. There is government policy on the Great Ocean Road and new farming zones which were sought by municipalities in rural zones to better clarify those areas. I am also very

pleased that in the changes to the Victorian planning provisions, which will go now into all planning schemes, there are new standards for bicycle parking, which will make sure that there are clear standards and clear accountability for the kinds of bicycle parking that is provided across the state.

This is a very important document, because it puts before members of Parliament every circumstance, every intervention, of the Minister for Planning in the planning process under the powers he has under the Planning Environment Act, the Victorian Civil and Administrative Tribunal Act and the Heritage Act. It is an important tool for accountability, as Mr Forwood would know. It is very important to have this information laid before the Parliament. It is the sort of thing that the Public Accounts and Estimates Committee is always looking for. I am very pleased to draw the house's attention to it today.

Public Accounts and Estimates Committee: easy English report about services for people with an intellectual disability

Hon. BILL FORWOOD (Templestowe) — Let me first comment on the statement by my colleague Ms Romanes on the previous report. I note that she avoided talking about the corruption entailed in the calling in of the Hilton hotel matter. I assure the house that we will not let go of this matter.

Today I want to take note of the Public Accounts and Estimates Committee report into services for people with an intellectual disability, which I spoke on when it was tabled in this house recently. This time the committee has also prepared an easy English report on the key recommendations and findings of our full report. We did this because we believe it is all very well for the Auditor-General and the Public Accounts and Estimates Committee to produce reports about how we should behave towards and support people with an intellectual disability, but it would be useful if they had some capacity to understand it themselves. So for the first time we have produced a report that takes the key recommendations and turns them into symbols for use in reading with other people. The forward to the easy English report says:

Pictures and symbols highlight key points

Read the report with a friend

The key pictures are explained on pages 31 to 35

The first sentence of the background section says:

In November 2000 the Auditor-General in Victoria wrote a report about services for people with an intellectual disability.

Above this text are five pictures. The first is a picture of a boring man in a suit and tie inside a little office, representing the Auditor-General. The next picture is a map of Victoria. The third is a left hand, writing. The fourth is a book and some lines on a page, which represents the report. And the fifth is a little house with people inside. When you turn to the back of the report you see that the first picture is identified as the Auditor-General's office; the second picture is identified as Victoria; the third picture represents writing; the fourth picture means a report; and the final picture — the house with two people inside it — represents services for people with an intellectual disability.

The key recommendations of this report are translated into symbols. For example, recommendation 38, which states, 'The government ensure that the proposed disability complaints resolution office has the power to initiate its own investigations', which is a very important recommendation, is translated into symbols of Victoria, communication between people, a sign for going backwards, and a head with a cross through it, meaning we will not do that.

Hon. Andrea Coote — Is there a cross through the boring man?

Hon. BILL FORWOOD — No, we do not cross out the Auditor-General.

This is difficult to explain, and I do hope we will be able to reproduce some of the symbols in *Hansard* so that people will get a better feel for how this report can be used by the people it most affects. That is the key thing we were trying to do. It is all very well for members of Parliament, the policy makers and the executive, to design and implement services for people with an intellectual disability, but when we are monitoring it we must do the best we can to ensure that the information we need to get out gets to intellectually disabled people. A lot of effort has gone into the preparation of this report. It was prepared — or translated, as they say — by Communication Aids and Resource Materials, and the picture communication symbols are copyrighted by Mayer-Johnson worldwide.

I commend this as a new initiative of the Public Accounts and Estimates Committee. I am not sure whether this needs to be done all the time, but it is an important step in trying to be inclusive for people who fall into this particular category. Some of these symbols are fantastic. You have eight little heads — well, that is a group of people — and if you put a circle around them it is some of the people. That is very clever. If you want to help someone you have two hands out

touching — a recognised symbol for that. A little man is standing with a question mark in either hand, he is weighing up the pros and cons obviously.

As I said, I recommend the report to members. I would be pleased if members, if they get an opportunity, would tell people who come to their electorate offices that it is available, and even get copies. We did not print a lot of them because it is very expensive to print in colour, but copies are available from the secretary of the committee, from the parliamentary library and from the web site.

Economic Development Committee: economic contribution of Victoria's culturally diverse population

Mr SCHEFFER (Monash) — The idea of multiculturalism informs every area of social and economic activity and preceded the more recent understanding that cultural diversity has an economic aspect. Business increasingly places a premium on effective communication and interpersonal relationships. The arrival of the new globalisation brings greater social diversity, both within local communities and amongst clients and business partners across the world, and demands new ways of negotiating difference. Through two centuries of immigration Australia has learned a lot about the value of cultural diversity. In the first place the understanding was about social harmony, and that was gradually strengthened as older Australians learned to stop pressing for assimilation and leave new arrivals free to be themselves in the new land. This was the result of a new confidence and a new sense of security among older Australians that in their own time new arrivals would inevitably become Australians but not Australians of the old type. In becoming Australians, each wave of immigrants modified Australian identity.

Unlike some other nations, contemporary Australians do not see themselves as monocultural. Diversity is no longer seen as a problem. This is true, even in the workplace where increasingly connectedness to international networks, language and intercultural communication skills and intimate experience of other places are highly valued and rewarded. Many workplaces now employ on the basis of how well their people match and complement each other's skills rather than on how much they conform to the corporate standard of the business. This is what productive and creative culture is all about.

The final report of the Economic Development Committee's inquiry into the economic contribution of Victoria's culturally diverse population provides a

timely consideration of these issues. The committee was asked to look into the actual and potential contribution to the economy of Victoria's culturally diverse population. The committee was asked to give some attention to the importance of Victoria's cultural diversity in improving productivity, increasing exports, attracting foreign investment and creating competitive advantage in Australian and international markets.

Given the breadth of the terms of reference, the committee resolved to address some key issues confronting governments to ensure that Victoria continues to maximise the economic benefits of the communities that make up the state. The report does note that, astonishingly, Victoria's population originates from some 234 countries in which 182 languages are spoken. There are more overseas students in Melbourne than any other Australian city — 43 000 of them. The committee notes that while business migrants are an important source of cultural diversity for Victoria, they are unevenly spread and business migrants are starting to move into areas where previously there had been little interest.

To its credit, the committee took the time to visit a number of provincial centres to look at the support services and infrastructure that is being developed in these locations. On this last point, the committee recommended that the Victorian government further develop programs and policies to ensure that we continue to attract migrants with a mixture of skills. In its response to the recommendations the government has indicated support for that recommendation, pointing to the skilled migration strategy — a four-year program that provides \$6 million to increase Victoria's share of skilled and business migrants.

One of the big problems in the area of productive diversity is that it is very difficult to measure precisely how and to what degree cultural diversity increases the level of productivity in the individual business as well as across the state. The committee notes that none of the evidence presented nor the research conducted on its own was able to establish a clear link between a culturally diverse population and increased exports, for example. There are lots of stories but little in the way of concrete examples. The committee makes a number of good recommendations that go to improving the support that various populations can expect from government, and the community and the government support many of these. Mr Bishop has referred to a couple of those in his remarks. This is a useful and timely report on an important issue.

Public Accounts and Estimates Committee: budget outcomes 2003–04

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — I wish to make a statement on the Public Accounts and Estimates Committee report on budget outcomes for 2003–04. In particular I refer to chapter 17, which relates to the Department for Victorian Communities. The committee has made a number of observations and recommendations regarding the budget processes for that department. Interestingly most of the comments relate to the organisation of the Commonwealth Games budget.

The first matter I touch upon is the committee's comments relating to what was reported to the committee as contingency funding for the Commonwealth Games. The figure of \$21.8 million allocated in the 2004–05 budget arose from last year's estimates hearing with the Minister for Commonwealth Games, when the minister was asked to provide a breakdown of expenditure on the Commonwealth Games. A number of items were listed, and after a brief period during which the final item could not be identified, the minister indicated that it was a contingency. All the responses from the department have therefore referred to the contingency.

It is my belief that figure was not a contingency and that the minister's comments at the committee hearing last year may have been an error, but his having locked the department into the figure of \$21.8 million as a contingency, that has been the line. It has given concern to the committee that the government has included \$21.8 million in the budget as a contingency. The committee observed that it considers that the contingency funding offers little incentive for the department to develop more robust budgetary processes, assess the cost of the games and accurately forecast cash flows. That is a valid point. It is extraordinary that Treasury would permit the Department for Victorian Communities to allow a \$21.8 million contingency in its budget to be spent for what ever cost overruns may occur.

It is the view of the committee that this should not be the practice, and the committee has made a recommendation that the Department for Victorian Communities improve its budgetary practices for estimating Commonwealth Games costs and forecasting cash flow needs to reduce the instances of contingency funding being used. I have to say that it is therefore disappointing to see in this year's budget that under the whole-of-government initiatives allocations have been made for games security requirements in which no funding details have been provided. The

government by way of footnote has said this is because of security issues, but that completely contradicts the government's previous practice of announcing security antiterrorism measures in some detail. There are press releases on the public record from the Premier from 18 months to 2 years ago where announcements were made about antiterrorism and security issues in which significant detail on funding was provided. It seems extraordinary that suddenly no details are provided at all as to the level of funding for Commonwealth Games security despite the fact that the commonwealth has disclosed in some detail its funding information on the Commonwealth Games. That leads me to believe this is yet another example of the use of a contingency fund which, by virtue of the government not putting a figure on it, allows the government to spend any amount it likes in any area it likes. The committee will certainly seek to get more details from the minister at the hearing. The Premier has already undertaken to provide details to the committee.

The other area I would like to touch on in this report is the underspend on the Melbourne Sports and Aquatic Centre. Last May the committee was not informed that the estimated expenditure to the end of June would be \$18 million, and it was subsequently informed by way of written answer that only \$7.7 million had been spent to the end of June. It seems incongruous that at a hearing in May the government complained that it would have spent \$18 million by the end of the year — only four weeks away — yet the actual figure turned out to be only \$7.7 million. It has to be asked: how was the estimate given to the committee so inaccurate as to be more than \$10 million out? It reflects very poorly on the budgetary processes of the department that we were provided with a figure which was subsequently proved to be so inaccurate. The committee will expect a better result from the department in its budgetary processes this year.

Public Accounts and Estimates Committee: budget outcomes 2003–04

Mr SOMYUREK (Eumemmerring) — I am pleased to speak on the Public Accounts and Estimates Committee report on the 2003–04 budget outcomes. My contribution today will focus mainly on the budget overview, since the document before me is quite comprehensive.

As the title of the report suggests, this report is an analysis of the government's 2003–04 budget outcomes. Members will be aware that the intent of the outcomes review is to improve accountability of government departments and agencies to Parliament for the money that was raised as revenue by the

government. In this case it was \$28 343.8 million. On the other hand the money spent in 2003–04 was \$27 353.7 million — we are talking about actual expenditure here, as opposed to estimated expenditure. This report therefore analyses the difference between what government agencies intended to achieve and the outcomes — in other words, what they actually did achieve during the financial year.

This report makes 97 recommendations on annual reporting, financial performance, governance, processes and the monitoring of some key activities. The previous report of 2002–03 had made 106 recommendations. The government and the Auditor-General have accepted 46 of them, 12 in part, 18 in principle and rejected 24; 6 recommendations are subject to further review.

I move on to chapter 2 at page 63, which shows key findings of the committee. At key finding 2.1 we see that the budget surplus came in at \$990.1 million, up \$745.6 million from the initial budget estimate of \$244.5 million. This is accounted for with a 6.6 per cent increase in actual revenue over budgeted revenue, and expenses also increased but not as exponentially as expected. Actual expenses were only 3.8 per cent higher than budgeted expenses.

This is not as high as the revenue side but there is still a sufficient difference there. These increases in both revenue and expenses can be explained by stronger than expected property markets. Most economists expected the property market to have subsided by the 2003–04 financial year but as it happened, the property market was pretty buoyant. In the latter part of the 2004 financial year there were certainly signs of the property market subsiding, but nevertheless that contributed to extra revenue.

The ACTING PRESIDENT

(**Hon. J. G. Hilton**) — Order! The honourable member's time has expired.

Adult Parole Board: report 2003–04

Ms HADDEN (Ballarat) — I am very pleased to speak on the Adult Parole Board of Victoria's annual report for 2003–04. I have been waiting to speak on this since last December. I am very supportive of the tremendous work which the Adult Parole Board does for this state and I want to commend the board and the staff for their continued commitment to the rehabilitation of offenders within the criminal justice system.

I acknowledge and thank the board members — the Honourable Justice Bernie Teague, Jim Berg, Theresa Sgambaro, the Honourable Justice Murray Kellam, Terry Laidler, John ‘Darcy’ Dugan, Michael Hepworth, secretary Norman Wills, Vera Olson, Her Honour Judge Carolyn Douglas, His Honour Judge David Jones and of course the very good magistrate for the state of Victoria, Jelena Popovic, and Penny Armytage.

The Adult Parole Board is an independent statutory body established under the Corrections Act 1986.

It does a very fine job in my view. The board met on 115 occasions in 2003–04 and it considered more than 7000 matters. On 52 occasions it attended Victorian prisons. There were 1675 offenders interviewed by the board. The number of offender releases totalled 1706, an increase of 7.4 per cent from the previous year, and the number of parole orders successfully completed represented a rise of 20.2 per cent. Parole cancellations total 472, which represented an increase of 24.5 per cent, and the number of parole orders breached total 809, which was an increase from the previous year when the number breached was 611.

The community perception of parole is not a particularly good one, and a lot more work could be done by the board, with adequate funding by the state government from the Department of Justice. I am a great advocate of parole so long as it is monitored and the appropriate resources are put into that very important area. The board felt that sufficient progress during the non-parole period to justify conditional release had occurred, and it said that the principal purpose of granting parole is to serve the public interest by closely supervising the offender during his or her period of reintegration into the community, and, of course, that can only be done if proper and appropriate resources are put into the community corrections service and the monitoring of the parolee.

The home detention program is a very important one. It commenced on 1 January 2004, but it presented new challenges to the board in establishing practices and procedures to ensure that files were properly prepared for consideration by the board. In particular the board noted that processes were developed with a lot of hard work by the board and staff, and it allowed the board to revoke an order at any time on a 24-hour basis — and that has therefore given it a lot more work to do.

In relation to the release of sex offenders on parole into our community, the board says that the release of convicted sex offenders on parole is a highly contentious and emotive issue, and I certainly agree with that. Given the serious nature of those offences,

members of the community are often — and rightfully, I say — concerned about attempts to reintegrate convicted sex offenders, on parole, into the community. The board regularly imposes several special conditions on parole orders of sex offenders to ensure that they are properly monitored during the period of parole. In the previous year’s annual report of the board it expressed concern about the assessment and availability of programs to sex offenders, and it noted in the chairperson’s message that these concerns were resolved, and the provision of assessments and programs both in prison and in the community have met the board’s requirements during the reporting year. I urge the Attorney-General, through the Department of Justice, to ensure that the board is adequately and properly resourced to provide that very important program for sex offenders when they are on parole in the community. We have a number —

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

Driver Education Centre of Australia: report 2004

Hon. S. M. NGUYEN (Melbourne West) — I would like to make my contribution on the report of the Driver Education Centre of Australia 2004 annual report. The reason I want to speak to this report is that the DECA centre is based in Altona North, which is in my area. I was delighted to attend its special annual general meeting two months ago, along with the president of DECA and the federal minister for training. It was great to see how much great work the centre has done in helping the automobile industry. Many people were there from the Ford, Holden and Mitsubishi motor companies, because this centre helps to train drivers in many ways, and thus improves the role of industry.

It is also part of the road safety project to ensure that drivers drive safely in Victoria. In terms of small vehicle or big commercial trucks or forklifts, the centre has done a lot of work to help improve safety on the road. It is also helping many people who are looking for employment in this industry. I would like to refer to some of the important points made in the report on page 3, under the heading ‘Chairman and managing director’s review’. It states:

Trading conditions were steady across most sectors, although the heavy transport market continues to be impacted by competitive forces and cost increases in their industry sector, thus increasing pressure on their businesses and margins. Most of our training markets have been very buoyant with increased activity; however, greater competition from the small players continues to hamper price and margin growth across most of the areas in which we operate.

2004 saw consolidation of our business units across all markets as we continued to grow the core business and secure the company's strategic future. The transfer of the SMART business from Central Gippsland Institute of TAFE to DECA during 2003 has continued to grow and add positively ... With operations at Shepparton, Altona North, Newborough and Carrum Downs—

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

ENERGY LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

Second reading

Ordered that second-reading speech be incorporated for Hon. T. C. THEOPHANOUS (Minister for Energy Industries and Resources) on motion of Hon. J. M. Madden.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

This is an omnibus energy bill to amend the Electricity Safety Act 1998, the Fuel Emergency Act 1977, the Electricity Industry Act 2000 and the Gas Industry Act 2001.

Clause 3 of the bill amends the Electricity Safety Act to clarify the level of safety to be provided by electricity safety management schemes submitted to the Office of the Chief Electrical Inspector by electricity distribution companies. The office must be satisfied that the level of safety provided by such schemes minimises, so far as is practicable, the hazards and risks to the safety of the public and customers and of damage to property, that may arise from electricity supply. This amendment is required to remove uncertainty in relation to electricity safety management schemes submitted by electricity distribution companies.

Clause 4 of the bill amends section 94 of the Electricity Industry Act, which establishes a regime to enable electricity generators to negotiate, with local councils, payments in lieu of council rates. If agreement cannot be reached, an arbitrator may determine the amount payable having regard to a benchmark methodology.

The current benchmark methodology, which is derived from agreements in force under the Loy Yang B Act 1992, created considerable uncertainty for both local councils and electricity generators. Accordingly, in August 2004, the Minister for Local Government, in consultation with the minister for energy industries, established a panel to identify a more predictable way of calculating payments in lieu of rates that is fair to councils and generators.

This amendment to the Electricity Industry Act 2004 will allow for implementation, by order in council, of the panel's recommendations as to a revised benchmark methodology. The benchmark is based on a payment per megawatt of

installed capacity, with a stepped payment schedule and discounts for generators operating at low capacity factors.

Clause 5 of the bill will amend the Gas Industry Act to make clear that the minister for energy industries may cause a review of part 8 of that act, which continues VENCORP as a statutory corporation and sets out the functions and powers of VENCORP, prior to 2007.

Finally, clause 6 of the bill amends the Fuel Emergency Act, to extend the time period for an emergency proclamation under that act and to allow such a proclamation where an event has occurred or is about to occur whereby any kind of fuel is or is likely to become unavailable to meet the reasonable requirements of the community. These amendments are of an operational nature and will assist timely and effective responses to fuel emergencies.

I commend the bill to the house.

Debate adjourned for Hon. BILL FORWOOD (Templestowe) on motion of Hon. E. G. Stoney.

Debate adjourned until next day.

SEX OFFENDERS REGISTRATION (AMENDMENT) BILL

Second reading

For Hon. T. C. THEOPHANOUS (Minister for Energy Industries and Resources), **Hon. J. M. Madden** (Minister for Sport and Recreation) — I move:

That pursuant to sessional order 34, the second-reading speech be incorporated into *Hansard*.

On behalf of the Minister for Energy Industries and Resources I would like to comment on some house amendments that were passed in the Legislative Assembly. They clarify the scope of the offences in the schedules to the act and the Serious Sex Offenders Monitoring Act 2005.

The amendments insert references to schedule 1 of the Sentencing Act 1991 to capture sex offences that have since been repealed and/or re-enacted and updated. They also clarify which court is able to hear an application for an extended supervision order under the Serious Sex Offenders Monitoring Act 2005. The need for these amendments has arisen as a result of legal advice obtained in the course of preparing for implementation of the Serious Sex Offenders Monitoring Act 2005. The government seeks to minimise the risk of legal challenge to the provisions through making these amendments. These amendments do not expand or reduce the scope of the offences in the schedules to the act or the Sex Offenders Monitoring Act 2005. They merely clarify their application.

Hon. D. McL. Davis — On a point of order, Acting President, the minister has — and it appears that this is becoming a practice in this house — indicated that there have been amendments in the lower house and thereby there are some changes that he has incorporated as a series of notes on the end of the second-reading speech. I appreciate that this is not his area and he is acting today on behalf of the Minister for Energy Industries and Resources, who is not in the chamber, and I appreciate that he may not understand the full significance of aspects of the bill, but I seek your guidance here on the matter of incorporation of these changes as simply a note on the end. I seek from the minister an explanation of what impact those changes would make on the second-reading speech — for example, the legal advice that the government has had?

The ACTING PRESIDENT (Mr Smith) — Order! Under sessional order 34 the minister may make introductory remarks on the contents of the bill including a statement of any amendments made by the Assembly. I think he has complied with that and therefore I do not think there is a point of order.

Hon. Richard Dalla-Riva — On a point of order, Acting President, and for further clarification, obviously I will be the lead speaker for the opposition in regard to this matter. I understand that when the second-reading speech is made and incorporated under sessional orders there is actually a document which one can refer to and go through as part of one's research into that particular issue.

The issue that is being raised today under this point of order is that there will be nothing in *Hansard* other than a referral back to notes attached to the second-reading speech. If there is an amendment — and that is what we are seeking clarification on — is there a clean document that actually makes it an addendum, as it were? I understand your ruling, and I am just trying to seek further clarification because it is difficult in terms of research.

The ACTING PRESIDENT (Mr Smith) — Order! I understand Mr Dalla-Riva's point. As I said, the minister has complied with the sessional order to the satisfaction of the Chair. The matters raised by the member in the point of order can be discussed during the course of debate.

Hon. D. McL. Davis — On a point of order, Acting President, as a point of clarification: whatever the requirements of the sessional orders, I wonder whether the minister might make available to the chamber the sheet that lists all the changes that he has just read. We have heard it — —

An honourable member interjected.

Hon. D. McL. Davis — No, it's not in the second reading.

The ACTING PRESIDENT (Mr Smith) — Order! We are not going to have a cross-chamber debate. That is a reasonable request for Mr Davis to make of the minister. It is a matter for him to decide on, and I am sure he can make up his own mind on that.

Motion agreed to.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

The government's commitment to further enhancing community protection includes leading the fight against the insidious activities of paedophiles and other serious sex offenders.

In recognition of the recidivist nature of serious sex offenders and the often devastating results of sexual assaults that do not only impact on victims, their families and friends, but also extends into the wider community, the Sex Offenders Registration Act 2004 commenced operation on 1 October last year.

By requiring specified sex offenders to keep police informed of relevant personal information for a period of time after their release into the community, the Sex Offenders Registration Act 2004 aims to reduce the likelihood of them re-offending and to assist in the investigation and prosecution of future offences.

The Sex Offenders Registration (Amendment) Bill seeks to amend the Sex Offenders Registration Act 2004 to clarify the scope and extent of a person's obligation to report to Police and to enhance the effectiveness of the scheme in relation to children who are society's most vulnerable members.

The main purposes of the bill are to amend the Sex Offenders Registration Act 2004 to:

- (a) address definitional issues including expanding the definitions of government custody and supervised sentence to ensure that the reporting obligations under the act could apply to offenders subject to certain court orders and resultant custody or supervision arrangements;
- (b) provide further clarification of who is subject to mandatory registration; and
- (c) address operational and procedural matters to ensure the effective operation of the act including requiring courts to inform the Chief Commissioner of Police of the results of an appeal against a finding of guilt, sentence or the making of a sex offender registration order; and applying a beyond a reasonable doubt standard of proof for the making of sex offender registration orders.

I now turn to specific provisions of the bill.

The length of the reporting period applied, either 8 years, 15 years or for the remainder of his or her life for adult offenders, is determined by the nature of the offence, the number of offences for which the offender has been sentenced and whether the offender is currently registered.

By way of example, the act currently provides that an adult sex offender found guilty of a class 2 offence (eg. an indecent assault against a child), will be required to report for a period of 8 years, whereas an adult offender found guilty of a class 1 offence (eg. sexual penetration of a child), will be required to report for 15 years or, if he or she commits another registrable offence, for life.

The current reporting periods, however, have the potential to cause inconsistencies and perverse outcomes as a shorter period could apply to an offender who commits a single, egregious offence, compared to offenders who may commit several more minor offences.

To overcome the possibility of such an anomalous outcome, the bill will amend section 34 of the act to ensure clarity in calculating the length of a registrable offender's reporting period and to prevent perverse outcomes regarding the length of time a registrable offender has to report.

These amendments will result in the following reporting periods applying, if he or she has ever been found guilty of:

- (a) a single class 2 offence, 8 years;
- (b) a single class 1 offence, 15 years;
- (c) 2 class 2 offences, 15 years;
- (d) 2 or more class 1 offences, life;
- (e) a class 1 offence and 1 or more class 2 offences, life; or
- (f) 3 or more class 2 offences, life.

These reporting periods would only apply to persons sentenced for registrable offences on or after the commencement of the amending act.

The bill will enable more effective application of the act to sex offenders that are required to report in another state or territory. The bill will require all registrable offenders that relocate from another state or territory to Victoria, to continue to report to the Victorian Registrar for the remainder of the reporting period imposed by the sentencing court in their home state or territory, regardless of whether the offence for which they were registered would make them a registrable offender under Victorian law.

This will ensure that a registrable offender does not attempt to evade their reporting requirements in another state or territory by moving to Victoria.

Since commencement of the act on 1 October 2004, it is evident that the reporting obligations under the act have been taken into account when imposing a sentence on a person convicted of a sexual offence.

This bill will amend the Sentencing Act 1991 to clarify that a court must not have regard to whether a person is a registrable offender when imposing a sentence for a sexual offence.

Currently, the act provides for the court to make a sex offender registration order if the prosecutor makes an application for the making of an order and the order must be made concurrently with the imposition of a sentence.

The bill will amend the act to enable the prosecution to make an application for the making of a sex offender registration order up to 30 days from the date the offender is sentenced and to stay the application when an appeal by a registrable offender against a finding of guilt or sentence in respect of a registrable offence is pending.

As the effective operation of the act relies on knowing the whereabouts of the offender to reduce the likelihood of committing further offences and to investigate and prosecute any such offences, the bill will amend the Births, Deaths and Marriages Registration Act 1996 to require the Registrar of Births, Deaths and Marriages to notify the Chief Commissioner of Police that a registrable offender has changed his or her name or gender.

The Births, Deaths and Marriages Registration Act 1996 provides safeguards for the privacy of individuals whilst ensuring that the community protection objectives of the Sex Offenders Registration Act 2004 are met.

In accordance with the approaches recommended and agreed by the Australasian Police Ministers Council, the bill will authorise a member of Victoria Police to arrange for any distinguishing marks (including tattoos) on a registrable offender to be photographed with that person's consent. If the registrable offender refuses, reasonable force may be used.

This power is restricted so that a police officer could not require a registrable offender to expose his or her genitals, the anal area of his or her buttocks or, in the case of females or transgender people who identify as females, their breasts.

This would enable Victoria Police to keep accurate identifying information about registrable offenders to further facilitate the investigation and prosecution of any future offences.

As the bill will require the sentencing court to notify a registrable offender of the length of his or her reporting period, and therefore, will need to know if the offender is a registrable offender, the number and classes of offences the offender has been sentenced for, et cetera, the bill will also permit the registrar of the sex offender register to disclose information to courts for judicial functions and activities.

Information privacy is protected by serious penalties in the act, including possible imprisonment for those who improperly disclose personal information held in the register.

The bill will also:

clarify the scope and extent of a person's obligation to report to police;

minimise the risk of non-compliance by ensuring that police and the offender are aware of the offender's reporting obligations post-custody;

ensure that a registrable offender does not attempt to evade their reporting obligations in another state or territory by moving to Victoria;

enhance natural justice by requiring the sentencing court to calculate and notify the offender of his or her reporting period;

enhance the effective operation of the act via notification requirements to ensure the Chief Commissioner of Police is aware that an offender has changed his or her name or gender;

ensure that perverse outcomes do not result from the calculation of a registrable offender's reporting period and from the current judicial application of the act;

ensure its better operation to assist in enhancing community protection, particularly in relation to children who are society's most vulnerable members.

The house amendments (passed in the Legislative Assembly) clarify the scope of the offences in the schedules to the act and the Serious Sex Offenders Monitoring Act 2005. The amendments insert references to schedule 1 of the Sentencing Act 1991 to capture sex offences that have since been repealed and/or re-enacted and updated.

They also clarify which court is able to hear an application for an extended supervision order under the Serious Sex Offenders Monitoring Act 2005.

The need for these amendments has arisen as a result of legal advice obtained in the course of preparing for implementation of the Serious Sex Offenders Monitoring Act 2005.

The government seeks to minimise the risk of legal challenge to the provisions through making these amendments.

These amendments do not expand or reduce the scope of the offences in the schedules to the act or the Sex Offenders Monitoring Act 2005, they merely clarify their application.

I commend the bill to the house.

**Debate adjourned on motion of
Hon. RICHARD DALLA-RIVA (East Yarra).**

Debate adjourned until next day.

EMERGENCY SERVICES SUPERANNUATION (AMENDMENT) BILL

Second reading

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

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

The primary purpose of the bill is to facilitate the emergency services superannuation scheme moving to paying taxed benefits as defined under the Commonwealth Income Tax Assessment Act 1936.

At present, the scheme pays defined benefits that are classified as 'untaxed'. An 'untaxed benefit' is taxed at a higher rate when it is paid out, to reflect the fact that the benefit has not been reduced by contributions tax on the employer-funded component of the benefit, hence the term 'untaxed'. Conversely, a 'taxed benefit' is taxed at a lower rate.

As a consequence of this change, from 1 July 2005 all members who elect to receive their benefit as a lump sum, an allocated pension, or who roll their benefit into another fund will pay a reduced amount of tax on their benefit, to reflect the contributions tax that has already been paid, and most will receive a higher net benefit.

Importantly, safeguards have been put in place to ensure that no member will receive a lower net benefit. If it is established that a member has suffered detriment, the board will act to compensate the member.

Those wishing to transfer their benefit to the emergency services superannuation scheme's beneficiary account upon leaving the defined benefit scheme will have the option to transfer either an untaxed or a taxed benefit. This option has been included to cater for the small minority of members who might be disadvantaged by transferring a taxed benefit.

The change to payment of taxed benefits brings the emergency services superannuation scheme into line with the vast majority of superannuation funds, including the state superannuation fund, which moved to paying taxed benefits in 1995.

These changes reflect this government's commitment to sound prudential management. As well as providing a financial benefit to individual emergency services workers, the change will reduce the government's superannuation liabilities by an estimated \$180 million, and employer contributions to the scheme will decrease by around 1 per cent.

These savings will ultimately benefit all Victorian taxpayers.

The bill also includes some minor amendments, both of which have the support of the Emergency Services Superannuation Board.

The first minor amendment clarifies the circumstances in which the board is released from making further payment of a temporary pension for illness or injury and is of a technical nature, merely correcting a cross-reference to another subsection of the act.

The second minor amendment reflects changes to commonwealth government superannuation legislation. As a result of this amendment, the Emergency Services Superannuation Scheme will be able to accept contributions from members until age 75.

I commend this bill to the house.

**Debate adjourned for
Hon. RICHARD DALLA-RIVA (East Yarra)
on motion of Hon. D. McL. Davis.**

Debate adjourned until next day.

CITY OF MELBOURNE (AMENDMENT) BILL

Second reading

**Ordered that second-reading speech be
incorporated for Ms BROAD (Minister for Local
Government) on motion of Hon. J. M. Madden.**

Hon. J. M. MADDEN (Minister for Sport and
Recreation) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

The City of Melbourne (Amendment) Bill 2005 amends section 28 of the City of Melbourne Act 2001.

Section 28 of the City of Melbourne Act 2001 currently provides that Melbourne City Council may raise any general rates by the application of a differential rate for the financial year ending 30 June 2000 and in any financial year specified by order of the Governor in Council published in the *Government Gazette*, even if it does not use the capital improved value system of valuing land.

The City of Melbourne (Amendment) Bill 2005 removes the requirement of an order in council.

An order in council has been recommended by the Minister for Local government and made by the Governor in Council every year since the City of Melbourne began being able to apply differential rates.

As Melbourne City Council's practice of applying differential rates to land subject to net annual value valuations has been effectively applied since 2000, the extra administrative burden of requiring an order in council is now considered unnecessary.

This amendment, though small in nature, will reduce costs for Melbourne City Council and therefore ratepayers within the municipal area of the council.

In the absence of the need for an order in council, there is a theoretical risk that Melbourne City Council could rate commercial and industrial properties at a much higher rate than currently occurs.

The risk will be removed by including in the proposed amendments a requirement similar to section 161(5) of the Local government Act 1989. This section provides that the highest differential rate in a municipal district rating on CIV must be no more than four times the lowest differential rate in the municipal district.

NAV is 'inherently differential'. While NAV for residential properties is calculated at 5 per cent of capital improved value

(CIV), the NAV for commercial and industrial properties is derived as 5 per cent of the CIV or the estimated annual rental value whichever is the higher. NAV for commercial and industrial properties in the city of Melbourne currently averages between 7 and 8 per cent of CIV.

Due to this inherently differential aspect of NAV, it is proposed that the highest differential rate for city of Melbourne whilst using NAV will not be more than two times the lowest differential rate.

I commend the bill to the house.

**Debate adjourned for Hon. J. A. VOGELS
(Western) on motion of Hon. D. McL. Davis**

Debate adjourned until next day.

ROAD SAFETY (FURTHER AMENDMENT) BILL

Second reading

**Debate resumed from 25 May; motion of
Ms BROAD (Minister for Local Government).**

Hon. R. H. BOWDEN (South Eastern) — The Road Safety (Further Amendment) Bill 2005 is supported by the opposition. There are several aspects of the bill which the opposition would like the government to be aware of, and we have some constructive suggestions on the operation of the bill, but the legislation itself, its intention and construction, has the support of the opposition.

The bill covers several points of importance to the motoring community and all Victorians. Essentially it allows for the continuation of the roadside drug screening through the collection of oral fluid samples to continue beyond the original sunset date of 1 July 2005 for a further 12 months until 1 July 2006. Another aspect of the bill will be increased penalties for drivers who fail to stop. That type of offence is commonly known as hit and run. In cases of hit-and-run accidents, those who endanger the public through such regrettable actions will be liable to consideration by the courts of additional penalties. There have been concerns for some time about bicycle riders and pedestrians presenting problems on freeways, and there are amendments in relation to those matters to improve safety.

The legislation provides for trained Victoria Police officers and other authorised people to deploy road spikes under certain circumstances in an attempt to address community concerns about high-speed pursuits and to allow speeding motorists to be apprehended. There will be changes to the disqualification periods for

drivers convicted of certain offences to make sure that any lesser penalties that apply under other arrangements are corrected. I will come back to that later. On many occasions vehicles are abandoned or break down in congested areas, on freeways and in other circumstances where there is limited space on the roadside. The bill allows the disclosure of registration and ownership details under specific circumstances so that a registered operator can remove a vehicle that needs to be towed away.

They are in summary the core intentions of the legislation. I will now deal with some of those in detail. When the state government last December introduced the random testing of drivers for drugs, that was applauded by the community as a good move. It enhances the probability of people who are irresponsible being detected. If I recall rightly, it was acclaimed as a world first for this jurisdiction. The intent of that measure should be commended and applauded. That was introduced with a great deal of publicity, but publicity can be a two-edged sword. On the first day of operation the media were there in force — one could ask how they knew where the testing bus was to be, and I suspect that perhaps the government arranged for the media to be aware of that location — and the testing of one particular driver indicated there was a problem.

That appeared to be somewhat of a circus, a media event staged by the government, which is unfortunate in that context because the introduction of random drug testing is a good thing and very supportable. The opposition was disappointed to see that the government was trying to promote itself even though that move was a constructive step forward in bringing road safety to the Victorian community. We are concerned about one aspect of the roadside testing that is now going to be extended until 1 July 2006. Under the legislation if a driver is stopped for a random drug test and proves to be positive to a preliminary breath test, then the drug test does not proceed. We suggest to the government that that is unacceptable. It may be that 'Ah, gotcha!' would be the reaction of the detection system — that we have detected at this particular time a driver with a preliminary breath test indicating that he or she has an amount of alcohol above the prescribed amount.

However, the opposition cannot accept the premise that if on the preliminary breath testing the driver is shown to have an inappropriate amount of alcohol they do not then proceed to a drug test, because the purpose of the random drug test was to randomly test people for illicit drugs. To not proceed to that point is not acceptable. We suggest to the government, in a constructive and helpful way, that that is an operational matter that

should be urgently considered, adjusted and amended so that those who are stopped at random for a drug test, even if they do prove positive on an alcohol test, should then proceed to a drug test because that was the purpose of their being stopped. We are suggesting this in a helpful way to the government in order to continue the thrust of this legislation of improving road safety.

The opposition is not entirely comfortable with the relative low number of Victorian motorists tested in the period reported. It is understood that in the first 120 days of the program since last December only 4800 Victorian motorists have been tested by the drug testing bus. That may seem a lot of motorists, but it is not in relation to the number of licences issued and the density of traffic throughout the state. Whilst we realise there is only one bus, we think the government should be a bit more fair dinkum in trying to put some more resources into this.

Honourable members would be aware of the reports in the media from time to time that the prevalence of people using our roads and operating vehicles with a concentration of illegal drugs is very much of concern. On the statistics provided to us about the drug evaluations, 1 in 73 motorists tested are proving positive to drugs. That number suggests, if you extend it to the driving population, that there is a very serious problem. We in the opposition are of the opinion that that is worthy of immediate review and an early allocation of substantial resources in the drug testing program so that these people who are uncaring and putting other motorists at risk can be detected and handled under the penalty provisions of the law as it stands. We are asking the government to consider, if necessary, where random drug tests are involved, a combination of two things. Firstly, that the alcohol test as well as the drug test — both, not one — be carried out. Secondly, the number of positive readings at these random drug tests indicates that the government should urgently provide increased resources at an early date to meet the intention of the legislation, which is very supportable.

We support the increases in relation to the maximum penalty for hit-and-run offences. The present provision is that the penalty be two years imprisonment, and the legislation indicates that that will now be reviewed up to a maximum of 10 years. There is no excuse for someone behaving so badly that they would knowingly and willingly be an offender in a hit-and-run incident. There may be, from time to time, obscure and unexpected circumstances where a driver may hit somebody and not be aware of it, but those circumstances and events would be rare and uncommon. They may happen, but in the main hit and

runs are circumstances where the driver does know that he or she has hit someone. For that driver to then abandon the injured person, ignore their responsibilities, leave the scene without rendering assistance and try to hide is completely unacceptable within our society. The Liberal Party would support a much tougher penalty than that proposed in this legislation. In a media release on 20 April we indicated that we would put forward an amendment proposing that that penalty should be increased to a maximum of 20 years not 10. Unfortunately the amendment was defeated by the government in the other place.

It should match the provisions in the offence of culpable driving causing death. We still think that is a good idea. We want the message sent to the community that to hit and run, when the driver is aware of it, is an offence that is completely and totally unacceptable. It is an offence we will not countenance. While the bill increases the penalty from 2 years to 10 years maximum imprisonment, as our press release of 20 April says, we would prefer to see that penalty increased substantially.

The bill aligns dangerous driving and excessive speeding penalties, and the loss of licence penalty will increase from six months to one year. There have been occasions in the Magistrates Court where the magistrate has not recorded a conviction for excessive speeding. That is for the courts to decide. We have nothing to do with the operation of the courts because of the separation of powers, with which we are all familiar and which is normal in the operation of justice in the state. This legislation will ensure that a person found guilty of excessive speeding will still incur a loss of licence even if the magistrate does not record a conviction. The legislation clearly delineates trigger points for that penalty process and the opposition has no quarrel with that regime in the bill.

I turn to the issue of road spikes. There has been a delay in Victoria in the introduction of the use of road spikes. Honourable members will share the concern of the opposition on the dangers to all persons in Victoria — be they motorists, pedestrians or users of our transport system — where dangerous driving and high-speed chases are involved. We have, regrettably on many occasions over the years, had tragic circumstances where Victoria Police members have tried to do their job well through the chasing or interception of persons who have committed notable transgressions under the traffic laws. Those circumstances have often resulted in a high-speed chase with very sad results — sometimes for the bystanders, sometimes for the drivers of the vehicles being chased and also regrettably, sometimes for members of Victoria Police who have been

conscientiously doing their job. We are sorry when those things happen.

This is a further tool in Victoria Police being able to use authorised and trained officers to try to prevent a tragedy from occurring. They will be able to use road spikes — a mat of spikes placed across the road ahead of a vehicle been chased; the vehicle being pursued runs over the mat, has its tyres punctured and is brought to a halt — and hopefully detain the driver and occupants who can later be processed in accordance with the regulations.

I can recall about two years ago the New South Wales police used what was probably then an early deployment of spikes on a freeway south of Sydney during a high-speed pursuit. The vehicle being pursued went over the spikes, but unfortunately the police officer who had laid down the set of spikes was fatally injured.

I would like to be sure of a detailed training process for officers of Victoria Police on circumstances when road spikes may be deployed. That procedure should be well and truly documented, and that the safety of officers deploying the spikes and of members of the community is carefully considered before the spikes are used.

If we can prevent future high-speed chases and bring people who are behaving unacceptably into our justice system through the use of these road spikes, then that is a good thing. Before the police authorise the deployment of any spike mats they should be trained carefully in how the mats will be used. Road spikes could be used as part of any measure to enhance the safety of serving members of Victoria Police when they are dealing with inappropriate road behaviour as well as pursuing alleged perpetrators of crimes other than traffic offences — it may be that the occupants in the vehicle are suspected of being involved in a serious crime other than traffic matters. We support their use as it appears logical; the spikes are used in other states and have proved to be successful on several occasions. We think it is a worthwhile addition to the resources of Victoria Police.

The legislation contains enabling powers for the VicRoads database to be used to provide appropriate information to authorised towing operators for the removal of vehicles from crash scenes, and so forth. For instance, sometimes towing companies need to know specific information about the registration and ownership details of a vehicle before it is removed from the scene of an accident or from a congested area. That will enable roads to be cleared. As honourable members might readily recall, I am prone sometimes to

talk about the Monash parkway. I will not do that at the moment, but I suggest that if a vehicle were broken down on the Monash Freeway honourable members would join me in expressing concern that every sensible thing be done to facilitate the early removal of that vehicle so that other motorists would not be inconvenienced and the normal unacceptable transit time on the Monash would not be further extended.

I come back to the issue of drug testing. The bill provides for more testing of drug samples from randomly selected motorists. It would not be a good thing if the costing system of the drug testing were to be a factor in holding back the implementation of this worthwhile initiative.

We believe it would be very helpful to be sure that more testing takes place of random drugs sampling and that cost is not holding it back. There have been many instances in the media over a long period of time where there have been various estimates of the costs to the community of a serious accident and indeed a fatality. The reported cost of \$500 for an accurate test is not a major impost compared to the cost to the community of a tragic or very serious accident. We would like to believe this bill will further ensure that using our roads is safer. We support the bill and are of the opinion that it is a good constructive move. But I would like to remind members of an issue in an article on page 6 of the *Age* of Friday, 20 May. It was quite interesting and I will just briefly read an extract:

The government and Victoria Police yesterday admitted that if a person is pulled over for a drug test but found positive for alcohol first, they do not go on to be tested for cannabis or methamphetamine — even if they have the drugs in their system. This means that people driving under the influence of alcohol and drugs can escape the drug-related penalties, which include having their licence cancelled or fines for the first offence.

It is not acceptable in our opinion to just simply test for alcohol and if you find alcohol, ignore everything else. We ought to see a situation where if a motorist is pulled over for drugs at random, they are tested for drugs.

The main thrust of the bill is, as I outlined at the beginning, to extend the drug testing sampling time to 1 July, to increase penalties for hit-and-run offences and to improve the safety of freeways. I would like to talk about freeway safety in the context of this bill. There are no occasions I can think of where pedestrians should, without a reasonable excuse, be on freeways or in the vicinity of the high-speed lanes of a freeway. There are instances, of course, where there are pedestrians because their vehicle has broken down and they are there for a legitimate reason. The increase in penalties under the provisions of this bill to further

deter pedestrians and other inappropriate users of freeways is a good thing. Cyclists should not be on freeways where it is signed and clearly indicated that they should not be there. That is supportable because the mix of cyclists on a freeway with high-speed traffic, heavy vehicles and smaller vehicles to my way of thinking as an experienced driver is not a good thing. The increase in penalties where cyclists are prohibited is a further move towards road safety. That is very supportable.

There are opportunities for Victoria Police to pay a little more attention to cyclists in the morning and afternoon peak hour times on St Kilda Road and other near city roads where they do not observe the traffic lights and regulations. They put themselves and others at risk just because they seem to have a quite selfish attitude at times that road rules do not apply to them. This bill is a reminder to the cyclists in the community that they have responsibilities. The penalties are being increased for cyclists who for selfish reasons, or who just do not want to obey the traffic laws, use freeways, which is quite dangerous. In conclusion, the opposition supports the bill. The clauses are supportable in their general approach. We are looking forward to see an enhancement of road safety in this state subsequent to the passage of the bill.

Hon. B. W. BISHOP (North Western) — I rise on behalf of The Nationals to make a contribution on the Road Safety (Further Amendment) Bill. The Nationals do not oppose this bill. The purposes of the bill are many and varied. One of the leading issues in the bill is increased penalties for hit-and-run drivers. Without doubt the community supports quite substantial increases in these penalties. There is no-one in the community who would not look aghast at anyone who had been involved in an accident and simply kept going. I would like to put on the record the appreciation of The Nationals for officers from the department who were able to supply us with a sheet which gave us a clear indication of where we are at this point in time and what the bill proposes in relation to increased penalties for hit-and-run offences.

We have now an offence of failing to stop or render assistance after an accident in which a person has been killed or seriously injured. At this point it is 80 penalty points or two years jail. What the bill proposes is 1200 penalty units or 10 years jail. I know there was some discussion in the other house about increasing that to 20 years jail, but that was defeated by the government. I have read through the reasons for that and I suspect all we can ask for now from the government is to assess these processes that will be put in place by this bill and make a judgment on that after

they have been tested. The second offence is failing to provide a name and address after an accident in which a person has been killed or seriously injured. At this point in time the penalty for a first offence is 20 penalty units or 4 months jail. The bill will put in place a penalty for a first offence of 80 penalty units or 8 months jail — quite a substantial increase again. In fact, now the penalty for a subsequent offence is 40 penalty units or 12 months jail, and the bill will increase that to 240 penalty points or 2 years jail.

If we go to the next offence, which is failing to stop or render assistance or to provide name and address after an accident in which a person has been injured, as opposed to seriously injured, at this point in time the penalty for a first offence is 20 penalty units or 4 months jail. The bill will put in place for that first offence a penalty of 80 penalty units or 8 months jail. If there is a subsequent offence, the penalty at this point in time would be 40 penalty units or 12 months jail and the bill will increase that to 240 penalty units or 2 years jail. Those are quite substantial increases in the penalties for hit-and-run drivers.

Interestingly the bill also deals with mandatory licence cancellation for failing to stop and render assistance. At the moment, for example, if a court makes an order in relation to a person who has been found guilty but no conviction is recorded, the minimum licence cancellation period is nil, it does not apply. The bill puts in place for a first offence a cancellation period of two years, and for a subsequent offence, four years. Those are quite substantial increases in mandatory licence cancellation periods. If a person is found guilty and a conviction is recorded, at this point in time the penalty for a first offence is two years. The bill will double that to four years for a first offence, and will double the period for a subsequent offence from four years to eight years, which is again quite substantial. The Nationals support those moves in the bill.

The next section of the bill I want to speak about deals with drug-driving offences. The bill includes drug-driving offences in the list of offences to which the 10-year rule applies. This rule means that offences that are more than 10 years old are disregarded for the purposes of determining whether a further offence is treated as a subsequent offence. From the advice we received at the briefing, we understand this lines the drug-driving offences up with the drink-driving offences so that there is some compatibility in that area.

The other parts of the bill make further provision with respect to the granting of an extension of time to deal with traffic infringement notices and giving motorists the option of avoiding demerit point losses and fines

when they can demonstrate they were not aware that the infringement notice had been issued against them. I suppose there are a number of ways that could happen. Again we prevailed on the departmental officers to give us a bit more detail on that so we could satisfy ourselves about it. I thank them again for that. The explanatory notes on that are quite helpful. They say that the essential difference between the new provisions and those they replace is that the new provisions avoid licence suspensions in all such cases. This means that if a person eventually decides to accept the mislaid or misdirected infringement notice, the suspension period does not have to be served again. That is achieved by providing that the consequences that resulted from a later notice are only reversed or discontinued if the person who has obtained an extension of time order takes some action in relation to the notice. That can be such things as the person nominating who was driving the vehicle or making a declaration that they are unable to do so, a reference to owner-onus provisions or a person insisting on their right to have the matter heard in the courts. This will avoid a person automatically risking a second period of licence suspension simply because they have asked for more time to deal with a missing infringement notice. We have no difficulty with that.

The bill also prohibits unauthorised cycling on freeways and enables the removal of unauthorised people, such as cyclists, from freeways. That is quite a straightforward proposal in relation to road safety. The bill also allows our police force to use tyre deflation devices — road spikes, I think we call them — in pursuits. Whilst there was some concern raised about this by the Liberal Party through the Honourable Ron Bowden, we think that is a good idea. We think it will put an end to some of the high-speed chases that we have seen in the past — and as we would all have noticed, some of those end up in unfortunate accidents. The police are put in a terrible position if they need to pursue a car and they believe the car driver is driving dangerously. It is a difficult decision. Do they pull out or do they proceed, with the inherent risks that involves? We would hope that the practical and sensible use of road spikes would alleviate some of the problems in what are sometimes known as the James Bond pursuits that we have read about and heard of in the media. We support that measure.

Another part of the bill increases the minimum licence cancellation period in certain dangerous driving cases to 12 months. It brings the cancellation period into line with the penalty for driving at over 45 kilometres an hour over the speed limit. That brings those issues together and appears to be a sensible arrangement to be put into place. The bill authorises the disclosure of

vehicle information by VicRoads in connection with the authorisation by the police or VicRoads of vehicle towing. That is the quite stringent rule that our tow truck operators operate under nowadays — they must have the name and address of the owner of a vehicle before they can take that vehicle away. Of course, we would assume that the owner would be there, but just as obviously, if there has been an accident, the owner of the vehicle may have been removed in an ambulance to hospital or for many other reasons may not be present. That amendment overcomes that glitch in the system where, as members would know, following an accident it is beneficial to have the vehicle removed from the roadway or wherever it might be as quickly as possible. We would support that also. The bill goes on further to say that VicRoads officers can remove hazards to traffic from freeways and certain other roads and that they can take down illegally erected structures.

One of the important things the bill does is extend by 12 months the sunset provisions on the drug-testing provisions that we put in place in 2003. The Nationals support the drug testing proposals. We believe it was unfortunate that they got off to a bad start and that there was a lot of controversy about that, but drug-driving is an issue that the community — society in general — needs to address. We believe a further 12 months on that trial is certainly worth while, and we urge a greater focus on that area to ensure that we do not encounter the difficulties that we have had in the past. We have consulted quite widely on this bill, which we do not oppose, and we have not heard of any resistance to it as a result of those consultations. In relation to road safety, a report was presented to Parliament today on the country road toll. I am fortunate to be a member of the all-party Road Safety Committee which produced the report. It is a great committee; I really enjoy serving on it. Given this is a debate on a road safety bill, I think it is relevant to give a few details about the committee.

The members of the committee are the member for Geelong in the other place and its chair, Ian Trezise; the Honourable Graeme Stoney, who is the deputy chair; me; the Mr Eren; and the members for Frankston, Ivanhoe and Polwarth in the other place — Alistair Harkness, Craig Langdon and Terry Mulder respectively.

I commend the way the committee approached that very complex issue. Whilst *Hansard* cannot record the size of the report on the country road toll that was presented this morning, it is quite a substantial document. Reports on two inquiries were researched together — the other one was on roadside objects. Again I commend the committee for the professional

way in which they approached these two complicated reports.

I certainly want to commend the committee's chair, Ian Trezise. As I have said before, we have had some robust debates in that committee where we all had particular views on what the recommendations should be, but Ian Trezise has managed to guide us through those robust debates and bring us to a consensus of opinion that we have all been quite happy with. He deserves commendation for his efforts.

I would also like to congratulate the staff of the committee. They are well led by the executive officer, Ms Alexandra Douglas. In the case of the last report the principal research officer was Mr Peter Nelson, and in the case of the one before that — the one on roadside objects — it was Mr Graeme Both. They are both skilled researchers. We had Beth Klein as office manager until just lately, when she left and came to a position in the Parliament. Her position has been filled from 4 April on an 'acting' basis by Ms Susie Jovic. The management team did a great job. It was very professional and dedicated. They certainly played a huge part in putting the two quite complex reports together.

The country road toll report is probably the most complicated of the two. We were fortunate enough to be able to take an overseas study tour in relation to both the inquiries, and it was very beneficial to look at road safety in other countries around the world. We could look at the balance that other countries had in their approach to road safety. I wish to talk about balancing two issues today — enforcement and infrastructure. It is sometimes difficult to get that balance quite right. Of the countries we visited, they certainly have better infrastructure than we have in Victoria; they have approached that with a much more generous frame of mind. However, in general they were certainly behind us in the enforcement area.

In the United Kingdom there was no random breath testing, so Victoria has led the way. It has certainly had a strong result in reducing our road toll. Again, Victoria has led the way with seatbelts in cars. I can remember years ago when they were brought in everyone thought it was an absolute pain to put on your seatbelt, but now there is huge acceptance of seatbelts. I am always impressed with young people, students and kids. I know our grandchildren are on to you straightaway if you are a bit slow in putting on your seatbelt. That has been an excellent piece of education and training for our community to improve road safety.

Victoria has had an aggressive speed enforcement program for some time. Some say it is too aggressive and some say it is not; some say it is revenue earning and some say it is not. It has certainly had an effect on our communities relating to controlling speed. Debate has occurred on the technology and tolerances applied. I will not utilise my time in this debate to go into that because it has been well documented, but if that aggressive speed enforcement is continued we need to ensure that the tolerance and the technology are right, otherwise we will not bring the community with us; it will reject it and go against it.

I refer to the house the aggressive advertising of the Transport Accident Commission. It is upsetting to some people but it has had a dramatic impact on our community. I have been interested to see, in dealing with some of the motorcycle fraternity in our community, that at last the Transport Accident Commission has had a motorcycle advertisement which says in effect, 'Put yourself in their shoes', or words to that effect. I think it is great and is a good advertisement. It recognises that many people ride motorcycles in our community.

During the committee's inquiries it was interesting to note that in the past more young people were at risk on motorcycles, but now it is changing. Community views are changing and now the people most at risk are those in the 35 to 40-year-old bracket who may have a change of lifestyle, if you like, and go out on a motorbike and enjoy riding on our hilly and winding roads. They are probably becoming overrepresented in injuries and deaths on motorcycles.

I am proud of both of these reports. They have been complicated but have a huge number of good recommendations. We have had a number of good debates. In the last one, the country road toll, we had a great debate about mobile phones. It is a difficult debate. It is an easy debate if you are talking about the hand-held phones and whether people should be talking on them, texting on them or playing games or taking photos while driving. We recommended much stronger penalties for people who are involved in doing those things, and much stronger enforcement programs as well.

The committee was concerned about the build-up of vehicle aids. They might not only be mobile phones or hands-free phones. I am sure all of us agree that if you get a phone call in your car and you take it, your concentration is taken off the road. There is no doubt about that. I am sure we would probably tough it out, particularly those in country areas, who think we need our mobile phones for communication. I know that if I

get a call in the car, I pull over and take the call, as I hope all members would do. That was a tough debate and it is a challenge to get the balance right in the community. There was no doubt the committee wrestled with aids in cars — you have navigation aids, advanced instruments and even the radio, which take your concentration away from the road. I urge all members to read the report and to appreciate the struggles we went through in recommending what we thought was best.

My passion in the last report is well known to all, the pre-license driver education and training programs. I did an unusual thing. I wrote a minority report which was supportive of the recommendations, but I did that because I wanted to put my personal views, which probably did not fit in the text of the main report. I commend the committee for the compassionate way it dealt with this issue of inexperienced drivers. The recommendations in the report are that VicRoads should investigate ways to increase pre-license experience on country roads and under a variety of conditions. We further recommended that VicRoads review the training scheme to address the impact of inexperience in the first 12 months of licensed driving. The most important was recommendation 17 which was that VicRoads and the Department of Education and Training extend pre-license education and training programs such as Keys Please to all pre-license drivers in the school curriculum. They were a visionary set of recommendations for the inexperienced driving sector, and I hope the government picks those up.

The contentious issue in the community is the last recommendation in relation to the training sector. I make the distinction that the education for this is the theory side, whereas the training is the hands on. The debate in academia and in the community is with the training side — whether the hands-on training should be on the road or conducted in an off-road facility. We suggest that it can be conducted very well in an off-road facility, and we argued that strongly. We say that this is a package that starts at primary school, moves through secondary schools and gets into the pre-license area and that the education and training package should be in the education curriculum to ensure that young drivers get the best experience they can when they first get behind the wheel of a motor car. We also believe it should continue, so if you like it is a lifelong learning experience.

In concluding on that section, I want to say that there are many places that provide pre-license driving education and training programs. The real issue is that they are not available to all young people. That is an issue that we attempted to address in the report. I deal

regularly with an excellent education and training program in Mildura, which is used by the eight secondary schools in that area. A lot of the work in the run-up and putting it together has been in conjunction with Holden racing team member Todd Kelly, who is a local young fellow. He has been a great help and so has Holden. I make the distinction in talking about that that this is not an advanced driving course as you may think with Todd Kelly being involved, but is a course for students to ensure they are well placed. The second place I mention today, and it was mentioned in the report — I know there are many places that do this — is the one at Charlton, the North West Driver Education Centre, which had been in place for a number of years. It was established in 1980 and the first time around it had 50 students go through the facility and now over 1000 students from 30 different schools go through the program each year.

It comprises what we are talking about — practical and theory work — in a very well put together course and an excellent facility. It has everything you would see in a normal day's driving, such as crossings and other road features. They have good instructors and it is an example of what can be done. The Charlton North West Driver Education Centre has done some work in relation to having a look at the effectiveness of that and its research indicates that the students who have been through that area have a much better record of road safety than those who have not been able to avail themselves of that instruction in the run-up to receiving their learner driver plates. I also refer to the Driver Education Centre at Shepparton. I was fortunate to have had discussions with Mr Peter Stonehouse who has done a lot of work in that area. He is a most enthusiastic supporter of those recommendations in the inexperienced section.

I think it is a good report. I have enjoyed working on it. In relation to road safety I urge the government to pick up the recommendations which will make a huge difference in the reduction of road trauma, which is my passion, firstly, among the young people of Victoria, generally in Victoria as a whole and particularly in country areas. Road safety is a very important issue, and I know my colleague and friend the Honourable Andrew Brideson who chaired the Road Safety Committee for many years is also passionate about it. Most of us have to deal with road safety in one way or another every day and I look forward to the position where the government's response to that report will be addressed most positively.

The Nationals do not oppose this bill. We appreciate the opportunity to make a contribution on anything involved with road safety. Many of our constituents

who are generally in country Victoria are exposed to those sorts of issues on a daily basis with their work, recreation, education and other activities. There are not many country areas that have public transport so they need the flexibility of the use of vehicles. We believe the issues proposed in this legislation are good and also tidy up a number of matters. We wish the bill a speedy passage.

Hon. S. M. NGUYEN (Melbourne West) — I rise in support of the Road Safety (Further Amendment) Bill before the house and would like to thank the opposition speakers for their support. The bill is very straightforward. It has many important points which we would like to support for the benefit of motor vehicle users. The bill outlines many changes which we are very keen to support — for example, allowing roadside drug screening of oral fluid samples to continue beyond the original sunset date of 1 July for another year to 1 July 2006; increasing the penalties for drivers who fail to stop and render assistance, or who fail to give their name and address after an accident in which a person is killed or seriously injured; a variety of measures to improve the safety of freeways; improving the safety of vehicles involved in pursuits by allowing for the deployment of road spikes; ensuring that drivers found guilty or convicted of dangerous driving are disqualified from driving for not less than the period that would apply if they had been found guilty of an excessive speeding offence; and finally, allowing the disclosure and use of information about the registered operator of a vehicle where that is necessary to allow the vehicle to be towed. Those are the six main amending provisions in this bill.

Roadside tests are very important. We are trying to catch people who are drug addicts or those who use illicit drugs while driving cars. Among the new things the government has tried to do was a pilot project to stop drug users driving cars. In the past we were talking about drink-driving by people who put other people's lives at risk when they drive a car after having a drink. Now we are talking about driving while taking drugs. This is important. We have to stop it because a lot of people today take drugs and they do not realise how dangerous it can be. I have seen some drivers asleep while they are driving and I have to stop my car and wake them up. They stop in the middle of the road or at traffic lights and they forget to drive because they are falling asleep. This causes a lot of problems on the road.

In the past when people have been killed in hit-and-run incidents those responsible have run away. It can take police months of investigations to find the culprits, so now a very heavy penalty will be imposed — up to

10 years' jail. Drivers must realise that when they are involved in a serious accident, they cannot just run away; they must stop and help the victims.

Another aim is to improve safety on freeways. A freeway is supposed to be for fast drivers. People who are riding bicycles or horse riders, for example, are not allowed to enter freeways. This can cause accidents. It is very dangerous for them and for the car users. Therefore the government has increased the penalty from \$307 to \$511, and the police are authorised to move them off the freeway or any other road that has been declared as hazardous.

In terms of a penalty for speeding and dangerous driving, the bill ensures that a driver found guilty of dangerous driving is disqualified from driving even if they are not convicted; so the bill strongly protects the interests of the people who are using the road by ensuring that those driving dangerously are stopped from using their cars.

A driver found guilty of an excessive speeding offence — that is, exceeding the speed limit by 25 kilometres an hour or more — is subject to a mandatory licence suspension. If the driver exceeds the speed limit by 45 kilometres or more, the minimum licence loss is 12 months. For a driver exceeding the speed limit by 25 to 44 kilometres an hour the minimum licence loss is 6 months.

We want to send a clear message to the public that it has to take more responsibility when driving. The government is not interested in collecting fines and is more interested in removing licences so those offenders cannot drive a car anymore. They therefore have to be careful and more responsible. This applies especially to young people on P-plates. They are the ones driving very fast. They, in particular, should know that the police officers will not tolerate fast car drivers.

Another provision of the bill concerns the safety of vehicles involved in a pursuit. The high-speed pursuit of offenders has long been a vexed issue for the police, as it has been for police services across Australia and overseas. The police are required to balance the imperative of apprehending, prosecuting and deterring offenders with the safety and risk posed to the public. As such, the Victoria Police pursuit policy has been subject to continual review, to achieve an optimal balance between competing public policy objectives.

The bill has the clear objective of protecting the lives of road users. Many people are very responsible when driving their cars, but there is a small proportion of the community which ignores other road users. They want

to speed when they drive a car. They disobey the traffic laws and put the lives of other people at risk I especially refer ; and to hit-and-run drivers. Quite a few accidents occurring in the last few years have involved victims being killed and the drivers driving away, and it is very sad for the families who lose their family members.

We cannot tolerate this kind of thing happening in our society. People who are involved in an accident where a person is killed or seriously injured now have to provide their names and take responsibility. They might have to call the ambulance or look after the victim who was hit by them. The police want the public to get involved. Sometimes they need a person to be a witness or to identify the cars and the drivers, because this area of investigation takes a lot of time and effort on the part of the police, as well as a lot of money; so drivers now have a responsibility when they hit someone.

Last week we heard of the case where a driver who did not have a licence and who was drink-driving ran off the road and hit a wall at one of our primary schools, and many young children were injured. These kinds of things cannot be tolerated. The public would like to be sure that when they are on the footpath or road everything is safe. I commend the bill to the house.

Hon. W. R. BAXTER (North Eastern) — I want to make a brief contribution to debate on the bill before the house. It is another step along the way in endeavouring to make our roads safer. The state of Victoria has a very proud history in leading the way even on a worldwide basis in terms of road safety initiatives, and I commend members of the government for this legislation and members of the current parliamentary Road Safety Committee for the work they have been doing, more recently on its two reports into roadside objects and the report that was tabled yesterday. I was a member of the parliamentary Road Safety Committee from 1973 to 1976, so I have some feel for the work the committee does.

The aspect that I want to talk briefly about this morning is my concern that despite all the initiatives we are taking — and I think everyone is searching for ways of keeping the road toll down — we do not seem to be getting through to that class of drivers that I would classify as recalcitrant. They are the ones who do not seem to be getting the message, and I base my assessment of this on an examination of a number of sources.

The first is the number of drivers who appear before the courts on multiple speeding or drink-driving charges. One only has to look at the figures to see people before the courts on drink-driving charges for the third and

fourth time. Clearly, whilst the detection of drink-drivers is pretty efficient, you are certainly not apprehended every time you are over the limit. If you have been charged four times, I think it is safe to say that you have been over the limit 100 times. The same goes for speeding offences where a similar analogy could be applied to people who have lost their licence because they have racked up 12 demerit points due to speeding offences.

I remember when I was roads minister that a colleague came to me with a constituent's concern that his licence was about to be suspended because he had accumulated 12 demerit points. I had no discretion in the matter in any event, fortunately, but I did cause some inquiries to be made to have a look at this driver's record. He had a string of speeding offences going back many years. In other words he was an habitual speedster, and I do not know why he thought he should get any sympathy when his licence was about to be suspended.

That is something I have remembered in the intervening decade, and it is a classic illustration of someone thumbing their nose at the law. It is that aspect that we are yet to find the answer to. If one takes note of the Auditor-General's report tabled in the house this week on the number of outstanding warrants that the sheriff's office is having difficulty executing, one will realise many of those would have resulted from traffic offences.

I acknowledge that sometimes there are parking offences. There is a group in the community that thinks people can park anywhere with impunity and ignore the infringement notices stuck on the windscreens. Nevertheless it is indicative of the view that is held by a minority in our community of being above the law in terms of traffic issues like speeding, drink-driving, dangerous driving and running red lights. I frequently walk to Parliament House from my residence in North Carlton. I usually have to wait for the traffic lights at the corner of Princes and Nicholson streets — a very busy intersection, indeed — to change. It is absolutely frightening to watch the number of cars that run red lights at that intersection. I have little wonder from the amount of debris on the road as I walk home at night that there is some sort of meeting of two vehicles in harsh circumstances at that intersection at least once a day.

I say to the government that a reference to the Road Safety Committee which concentrates on how we get the message across to the recalcitrant driver could well be profitably given. It could have a look at the record of what other jurisdictions might have done in this country and overseas, as well as examining the insurance

statistics. I am told by my local insurance agent that statistics clearly show that a group of drivers make multiple claims for accident damage to their vehicles.

I do not claim to be the best driver in the world, but I drive 80 000 to 90 000 kilometres a year, and have done so for many years. I have not had an accident damage claim of my own causing since 1972. Perhaps I have not done enough research to prove it, but it seems to me that another example of a group of drivers — the same group of drivers, I suspect — cause the danger on our roads, put innocent people at risk and in the worst case scenario, cost the lives of other innocent motorists and pedestrians.

I urge the government to give some consideration to referring to the Road Safety Committee a reference which might examine ways of getting at recalcitrant drivers.

Hon. H. E. BUCKINGHAM (Koonung) — Road safety is an important issue for all of us and should be a bipartisan issue given the numbers killed and injured on Victorian roads. I would like to acknowledge the measured and informative contributions this morning by opposition members.

In 2004, 344 people died on our roads. This was a slight increase of 14 on the 2003 figures but it was the second lowest on record, the 2003 figures being the lowest. Since 2001, when the state government launched its Arrive Alive campaign, the figures have been 100 fewer than in previous years. The Victorian Parliament has an excellent record for its support of road safety. My father, Frank Wilkes, was a member of the Road Safety Committee that recommended the introduction of compulsory seat belt wearing. That became law in December 1970 and was in fact world-breaking legislation. Australia was the first country in the world to pass that law.

Victoria is still leading the way. We have the lowest fatality rate per capita in Australia, with 7 deaths per 100 000 people compared with 8.4 nationally. But of course we would like that to be even lower because we are talking about people's lives here.

The Road Safety (Further Amendment) Bill contains a number of important amendments to acts within the transport portfolio. It will allow roadside drug screening to continue beyond the original sunset date of 1 July 2005 until 1 July 2006. Drug-driving is a major contributor to road fatalities in Victoria. In 2003 more than 30 per cent of drivers killed in Victoria tested positive for drugs other than alcohol. The positive test strike rate was 1 in 112 drivers, compared to 1 in

250 drivers for those under the influence of alcohol. Extending the roadside drug-screening trial will continue to deter users of targeted drugs from driving when they are affected by those drugs.

I am pleased that the bill will increase the penalties for drivers who fail to stop and render assistance or who fail to give their name and address after an accident in which someone is killed or seriously injured. I have personal experience with this, and I will come back to this point.

The bill will allow for a variety of measures to improve safety on our freeways. The bill provides for the use of road spikes to safely terminate police pursuits. Police are currently required to end pursuits if the risk of continuing with the pursuit outweighs the benefits of apprehending the suspect. The bill further clarifies arrangements in relation to tolling and traffic infringements under the Road Safety Act and the Melbourne City Link Act. This bill clarifies that where a person is granted an extension of time to deal with traffic or tolling infringement notices on the grounds that he or she was not aware of it, the notice remains current and may be withdrawn notwithstanding that an infringement order has been made in respect of it by the PERIN court, and any enforcement order is only revoked if the person who obtained the extension of time order has either paid the infringement penalty, nominated the actual driver or insisted on his or her right to have the matter heard in court.

The bill also addresses excessive speeding and dangerous driving. Currently a driver convicted of the serious offence of driving a motor vehicle at a speed that is dangerous to the public may receive a lower penalty than if the matter has been dealt with by an infringement notice for the lesser offence of exceeding the speed limit. This bill will ensure that drivers found guilty of dangerous driving are disqualified from driving even if a conviction is not recorded. If the dangerous driving involves speeds of 45 kilometres an hour over the speed limit the minimum period of disqualification will be increased from 6 to 12 months. Given the latest press about people found speeding up to 180 kilometres an hour on the ring-road I think this is commendable.

I would like to specifically look at the increase in penalties for hit-and-run drivers. In July 2003 I attended the funeral of James Donnelly, a young man killed on his way home from a friend's 21st celebration in Canterbury Road. James and my son had gone to school together. As my son was overseas he asked my husband and me to attend the funeral on his behalf. It was an exceptionally sad and tragic funeral, tragic for

the Donnelly family because of their loss and tragic for all of James's mates, my son Nicholas's friends, who were at the funeral.

From January 2003 to May 2005 there have been 27 hit-and-run crashes involving a fatality or a life-threatening injury in Victoria. Because of James's case and others like it, the Victorian community has an expectation — quite rightfully — that people will be dealt with by the law for the seriousness of their offences. Accordingly this bill extends the offence of hit-and-run where a person is killed or seriously injured to include where the driver ought reasonably to have known that an offence had occurred. The bill increases the maximum penalties for a driver who fails to stop and render assistance from 2 years imprisonment to 10 years. I commend that. For a driver who fails to provide their name and address after being involved in an accident where someone is killed or seriously injured the penalty is increased from four months imprisonment to eight months for the first offence and not more than two years for any subsequent offence.

This government has an excellent history on road safety. Since the introduction of the Arrive Alive campaign that I mentioned earlier, we have achieved the two lowest Victorian road tolls on record in 2003 and 2004. It is estimated that 262 deaths have been prevented since the campaign began. In 2001 the government introduced a 50-kilometre default limit in built-up areas which has led to up to a 13 per cent reduction in casualty crashes on affected streets, and around 40 per cent reduction in serious casualty crashes involving pedestrians. When I was a councillor in the City of Whitehorse we introduced this 50-kilometre speed limit earlier than the government did — in fact two years earlier than the government brought it in as law — because we had feedback that our local community wanted people driving more slowly around the local streets. I would like to think the government looked to the City of Whitehorse as an example.

Road accidents cost Australia \$17 billion in 2003 — more than the annual defence budget. For every road crash — and there were 1634 across Australia in 2003 — another 125 people are injured. In 2003 more than 200 000 people across Australia suffered injuries in car crashes. In Victoria 6642 people were seriously injured and a staggering 16 294 suffered minor injuries. Road trauma costs the state \$1 billion a year, half of that for medical care and rehabilitation of injured survivors. The Transport Accident Commission spent \$534 million in 2003 caring for people injured on our roads. As I said at the outset, road safety is an important issue for all of us. This bill will facilitate the safe and

efficient use of Victorian roads. I commend the bill to the house.

Motion agreed to.

Read second time.

Third reading

Hon. M. R. THOMSON (Minister for Consumer Affairs) — By leave, I move:

That the bill be now read a third time.

On behalf of the Minister for Local Government, I thank members for their contribution.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

GAMBLING REGULATION (PUBLIC LOTTERY LICENCES) BILL

Second reading

Debate resumed from 25 May; motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

Hon. DAVID KOCH (Western) — In my contribution today I will endeavour to bring to the house the importance of the Gambling Regulation (Public Lottery Licences) Bill. In doing so, I would like to state the purpose of the bill, which is to amend the Gambling Regulation Act 2003. There are eight ways in which the purpose shall be picked up in the legislation. They are:

- (a) to restrict a public lottery licence to lotteries, AFL footy tipping competitions and soccer football pools;
- (b) to extend the initial term of a public lottery licence from a maximum of 7 years to a maximum of 10 years;
- (c) to provide further for the conditions of a public lottery licence;
- (d) to require computer systems and other equipment used by a public lottery licensee to be approved by the Victorian Commission for Gambling Regulation;
- (e) to provide for responsible gambling measures in relation to public lotteries;

- (f) to amend the restrictions on directors of another licensee under the Gambling Regulation Act 2003 from having a significant interest in certain other bodies;
- (g) to provide further for the costs of investigations by the commission of applications under the Gambling Regulation Act 2003;
- (h) to amend the process for applications for a public lottery licence.

I was a bit confused by paragraphs (c) and (h), because I was of the opinion that they were one and the same. But in saying that it is important that any issue with this legislation be resolved at this stage, as the existing licence with Tattersall's will expire on 30 June 2007 and new licences will need to come into effect as from 1 July 2007.

The legislation sets out a process for the awarding of new licences to prospective applicants from whom, I believe, the government hopes to extract a premium. The government is working on the assumption that by spreading the exclusive licences across more players, extending the period of licence tenure and gaining all current confidential industry information to assist further applicants, a sales premium will be forthcoming. As it wishes to open the market up further, there is little doubt that the government is not overly happy with the present licence-holders or believes that they are not paying enough in licence fees.

Tattersall's has been operating successfully in Victoria for over 50 years, starting originally in New South Wales and moving to Queensland and Tasmania before arriving in Victoria at the invitation of the then Premier, John Cain, Sr. Victorians buy thousands of Tatts tickets weekly and have done so for generations. Over the years tickets have been given as gifts and rewards to family and friends for various reasons and are seen as a reasonably priced opportunity to offer recipients a chance to share in large windfalls. On many occasions such ticket-holders have been successful, and this continues to drive ticket sales. Sales are also driven by those who enjoy the personal thrill of having a go themselves.

Over the last 50 years Tattersall's has been seen as a milking cow for all governments in this state and has seen upwards of 36.1 per cent of sales ending up in government coffers. Only 60 per cent is returned to ticket-holding punters, with a small 3.9 per cent remaining with the licence-holder to use to run and administer the lottery business. Agents' commissions are over and above the ticket face value and are derived from a ticket-selling component. Both Tatts, and later Tattsлото, are regarded by many in the game as a participatory sport, as lotteries take place weekly with

results quickly published on the TV or in daily newspapers.

The Tattersall's operation in Victoria has always been recognised as a tidy, efficient and well-run business that has had few problems with its current key products of Tatts lottery tickets, Tattslotto and Powerball. The biggest disaster over the years was the introduction of TipStar, the Australian Football League (AFL) football tipping competition. TipStar was going to be to football punters what Tabcorp is to racing punters. Although its introduction was keenly supported by the minister, this lottery has proven to be a loss maker since inception.

Losses accrued to date are approximately \$8 million and are seen by many to be rapidly moving towards \$10 million by year's end. I must say that these losses are not carried by the government, they are carried largely by the lottery operators which is part of the risk that applicants should be aware of when they apply to become licence-holders.

There is little doubt that this government is being seen as greedy when it comes to the gambling dollar, no more so than with lotteries. As indicated earlier, this government takes the maximum possible and leads the way on the world stage for the amount it drags out of the current licensee on the lotteries front. Currently over \$1 billion is extracted from Tattersall's from both Victoria and nationally.

The government keeps pursuing the line of having policies in place that demonstrate that responsible gambling is high on its agenda. Most in Victoria now recognise that the government in this state has demonstrated it has gone from being responsible to being totally reliant on gambling taxes and gambling licensing fees when we look at the proposed increases in the 2005–06 budget papers versus what is being collected currently. Out of the \$900 million collected on lotteries in 2003–04 we saw \$305 million go to consolidated revenue. But it gets worse as the budget papers indicate that an anticipated \$360 million will be collected for 2005–06 — that is, a further 20 per cent increase. This latest grab runs parallel with what we have seen recently with the increase in licensing fees on electronic gaming machines.

Fees per machine have gone from the original \$333 to \$1503 per machine in 2001, and more recently — in 2005 — go from \$1503 to \$3030 per machine, which is a rise well in excess of 100 per cent over the last four years. This latest demand saw another \$45 million being extracted to support the health benefit levy. Where will it stop with this government?

The earlier 2001 grab of \$35 million, that was supposedly a one-off grab, was going to see tens of thousands of extra patients treated and hospitals upgraded under the health benefit levy. Under the joint agreement with Tabcorp the racing industry's share in profit distributions of 25 per cent was recognised by the Treasurer in 2001 with an ongoing compensation package of \$4 million annually, but not so in 2005 when the industry saw \$5.1 million stripped from its joint venture share only to be replaced with a one-off compensation payment of \$3.5 million. This leaves a \$1.65 million shortfall in the first year, rising immediately to \$5.1 million in year two, and the industry is meant to pick up beyond that.

As I have mentioned on other occasions, racing industry people leave me in little doubt that they are now expected to prop up the government, but they do not believe they have that capacity.

Getting back to the bill, we realise the costs that will have to be borne by those wishing to have a dip at getting these licences. A two-stage process has been put in place: firstly, the expressions of interest that are invited will require a submission that validates the prospective applicant's credentials. This will see some \$25 000 being expended in order to have initial probity checks completed and to demonstrate the applicant's potential. If applicants are successful in the first round, the minister will then extend an invitation to make an application for a licence.

It has been indicated that a further amount of some \$200 000 will be required to furnish all information necessary in order that applicants are to be competitive in their submissions, allowing them to get somewhere towards the front of the queue in the application process. It is also recognised that there will be absolutely no compensation by the government to the applicants for the cost of putting forward their submissions. The real downside in the process is that applicants will be required to furnish two applications as there are two types of licences available.

Sitting suspended 1.00 p.m. until 2.02 p.m.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Alpine National Park: media campaign

Hon. PHILIP DAVIS (Gippsland) — I direct my question without notice to the Minister for Consumer Affairs. I refer the minister to the Bracks government's \$250 000 media campaign to vilify the name of the

mountain cattlemen, and note that the photo of the cattle watering hole in today's papers has been substantially altered from that in the same papers yesterday.

Is this not a clear admission of false, misleading and deceptive conduct under the Fair Trading Act by the Bracks government and the minister who signed off on this totally misleading media campaign?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I answered this same question yesterday, and I will answer it again. This is an important issue for Victorians and an important environmental issue. It is a matter that will come before this house in a relatively short period of time and when serious debate can be given to the issues.

It was a matter for which a full and thorough review was undertaken. To trivialise the issues that went to determining the outcomes of that review, and subsequently the government's response to that review, is an indictment on the opposition.

Opposition members will have an opportunity to debate the issues around the decision that is being made. It would be wise of the Leader of the Opposition to fully understand the Fair Trading Act, and if he did he would realise that I do not have responsibility in relation to this advertising. Therefore no action will be taken.

Supplementary question

Hon. PHILIP DAVIS (Gippsland) — I am fascinated by the minister's response. Given that the photo of the watering hole has been proved false and that there is now considerable doubt over the authenticity of the second photo, will the minister take action, as is required by her own act, to demand that the appropriate corrections and undoctored information — with an apology for it being false, misleading and deceptive — be immediately lodged in the newspapers and other media where this dishonest advertisement has been improperly used by the Bracks government?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I have answered the question.

Environment: government initiatives

Hon. H. E. BUCKINGHAM (Koonung) — My question is directed to the Minister for Finance. Can the minister outline to the house recent initiatives undertaken by the Bracks government that convey its heartfelt commitment to environmentally sensitive and sustainable outcomes for the people of Victoria?

Mr LENDERS (Minister for Finance) — I am delighted to answer Ms Buckingham's question. This government is absolutely committed to environmentally sensitive initiatives to keep our greenhouse gases down. I had great pleasure in announcing today with the Minister for Environment in the other place initiatives we have for government buildings. This house has previously had quite a discussion about two of these buildings — 50 Lonsdale Street and the Southern Cross site. The Leader of the Opposition took great interest in the contracts for the construction on these sites. I would like to inform the house today of some of the environmental initiatives we have in these buildings. We are seeking to get to a 4.5 green star rating under the Australian building greenhouse rating scheme. The buildings will provide a blueprint for workplaces of the future which deal with energy use, reducing and reusing water and producing less greenhouse pollution. About 15 per cent of emissions in Victoria come from commercial buildings. This government does not believe it can preach to the private sector unless it is an exemplar for good environmental practices.

For example, on the Southern Cross site the new strategies will have water-efficient fittings. They will minimise noise levels — something this chamber could do with from time to time. There will be a greenhouse-friendly refrigerant in the airconditioning systems. There will be waste recycling areas and a waste management plan during the construction phase. We also have a plan for black water. Members may ask what black water is. Many of us have heard of grey water, but what is black water? Grey water is water people use from laundries and kitchens for gardening and other facilities. Black water goes one step further. When the government occupies the Southern Cross site in March next year there will be a black water recycling system which will mean that all water, including water from taps and so on, will be recycled into what is called black water so it can be reused for certain purposes. I would not necessarily recommend that people drink this black water, but I would certainly say it can be used for cleaning, toilets and a range of other things. This great initiative will put these buildings at the absolute forefront.

You may ask why we would do this. We all know the issues about water storage and what we need to do to recycle and reuse. These environmentally sensitive areas of water are particularly important. As Minister for Finance part of my job is to find the best value accommodation in Victoria. Recently I met with Tom Roper, whom many in this house will know. He is in his 60s now and has a job as an adviser to Arnold Schwarzenegger and the Republican governors of

Michigan, New York and Pennsylvania on environmentally sustainable issues.

Hon. M. R. Thomson — Shame, Tom, shame!

Mr LENDERS — My colleague says, ‘Shame Tom’. The reason Tom Roper, a former Labor minister, is engaged by four Republican governors in the United States of America to advise them on financial sustainability and environmentally friendly buildings is that these buildings in the long term save the government and the community money. Because we have these environmentally sound practices in place we will bring down the cost of the Southern Cross office site and the urban workshop site in Lonsdale Street. We are using natural light, heat and resources to bring down the cost. It is not just black water, which I recommend strongly, but all the other areas, too.

This government is serious about environmentally sensitive initiatives, and it is going about them. This not only helps us keep our AAA credit rating and is good for the environment, but it also makes Victoria a very good place to bring up a family.

Victorian Emergency Relief Fund: investigation

Hon. PHILIP DAVIS (Gippsland) — I direct my question without notice to the Minister for Consumer Affairs. The *Age* of 22 May reported on Consumer Affairs Victoria’s investigation of the Victorian Emergency Relief Fund. It was reported that 37 per cent of the fund’s 2002–03 total gross appeal proceeds went to people who assisted with fundraising, one of whom was Banyule Labor councillor and executive director of the fund, Dale Peters, who worked for the former Minister for Police and Emergency Services in the other place, André Haermeyer, while running the fund. No money raised from a rural health service appeal was paid to beneficiaries. Money was paid to Dale Peters as a salary and to a company of which he is a director. I therefore ask: is Consumer Affairs Victoria investigating Cr Peters and the other directors of this fund?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I thank the honourable member for his question because fundraising legislation is vitally important to the confidence consumers have when they are looking to the charities they support. Victorians are traditionally very generous. The most recent example was Victoria’s overwhelming support of a number of fundraising events that were held during the recent tsunami disaster. Consumer Affairs Victoria ensured that those who raised funds on behalf of tsunami victims were aware of the act and the requirements

under the legislation. We are all aware of the Royal Children’s Hospital Good Friday appeal and the way in which Victorians respond to that.

We have had fundraising legislation in place since 1984. In 2001 that legislation was reviewed. It was the first time it had been reviewed since 1984. It was strengthened and tightened to give surety to Victorians that they could have faith in fundraisers, and it registered fundraising organisations. Consumer Affairs Victoria takes very seriously its responsibility under this legislation — —

Hon. Bill Forwood — What about you?

Hon. M. R. THOMSON — And does investigate and act on complaints and concerns in relation to this legislation. There was an interjection by the Honourable Bill Forwood about how seriously I take this legislation. Let me tell the house that not only do I take it seriously, I was the minister responsible at the time for strengthening the legislation, and I want to ensure that Victorians can feel confident about the fundraising regime that we have in place in this state. Matters of concern that come before Consumer Affairs Victoria are properly and thoroughly investigated and, where necessary, acted upon.

In relation to the matter raised by the Leader of the Opposition, he will be aware from recent reports in the newspapers that this matter is under investigation by Consumer Affairs Victoria. When those investigations are complete, the appropriate action will be taken.

Supplementary question

Hon. PHILIP DAVIS (Gippsland) — I thank the minister for eventually getting to the question. I have a further question. Can the minister advise whether the government will be investigating why this fundraiser run by a councillor and member of the Labor Party has salary and administration costs of nearly 40 per cent when the figure for recognised charities is considerably lower — for example, just 9.8 per cent for World Vision?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — As I have already indicated, the matter is under investigation by Consumers Affairs Victoria and, as with all such matters that are under investigation, the appropriate action will be taken by Consumer Affairs Victoria at the conclusion of the investigation.

Commonwealth Games: environment strategy

Ms ROMANES (Melbourne) — My question is for the Minister for Commonwealth Games, the

Honourable Justin Madden. I ask the minister to outline what actions the Bracks government is taking towards staging a Commonwealth Games in 2006 that will minimise impact on the environment and set new benchmarks in delivering a major sporting event that is low waste?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — I welcome Ms Romanes's interest in this matter. She has had quite a prominent interest in many of the environmental initiatives that have been developed in delivering the Commonwealth Games, so I thank her for her active input on this issue and also for advocating very strongly on behalf of her community and many organisations in it on many of these issues. We as a government are committed to games that are environmentally sustainable, and we are doing that in a number of ways. We are doing that through the three initiatives that I have mentioned in this chamber before.

Hon. D. K. Drum — How many trees — —

Hon. J. M. MADDEN — The games will be water wise, low waste and carbon neutral. I know Mr Drum has been interested in the tree planting, and there are trees being planted across the state at the present time. Seedlings are being grown by quite a number of volunteers who will also be involved in the tree-planting program that is part of the games. This is to offset the CO2 emissions that will be produced in the course of delivering the games.

But that is not the only way in which we are reducing greenhouse emissions. We are also reducing emissions by delivering the Commonwealth Games village with 6-star rating housing across the project. What is interesting about having 6-star-rated housing or dwellings across the site is that we will see a 60 per cent lower demand for heating and cooling than an average home across the life span of these houses. We are also delivering a water-wise games by minimising drinkable water usage and maximising the recycling of water through the implementation of a wide-ranging series of initiatives to get better water usage. We are building water recycling systems — —

Honourable members interjecting.

Hon. J. M. MADDEN — It is interesting that opposition members are not remotely interested in environmental initiatives. That is reflected in their lack of concentration when we are talking about these significant issues.

Hon. Bill Forwood — Boring!

The PRESIDENT — Order!

Hon. J. M. MADDEN — We are already building venues, whether it be the MCG — —

Hon. Bill Forwood — Boring!

The PRESIDENT — Order!

Hon. J. M. MADDEN — The State Netball and Hockey — —

Hon. Bill Forwood — Boring!

The PRESIDENT — Order! I have called Mr Forwood's to order on three occasions, but because he was yelling across the chamber he obviously did not hear me. I ask him to desist from interjecting. I made the comment last week that we are not at the football, we are in Parliament. The member's comments are not appreciated by me, and nor, I am sure, are they appreciated by the Hansard reporter, who is having difficulty taking down the minister's response. I ask Mr Forwood to desist.

Hon. J. M. MADDEN — It is interesting, is it not? I can understand why Mr Forwood and other opposition members might behave like they were in bay 13 at the Melbourne Cricket Ground (MCG) because they might find environmental issues boring — and Mr Forwood has already yelled out that they find environmental issues boring, so I am happy to talk at great length on these matters.

We are delivering in a range of areas. Already through the games infrastructure initiatives we will see the recycling of water across a range of those facilities, whether it be MCG, the State Netball and Hockey Centre, or the games village.

What is interesting about the low-waste initiative is that already barges are collecting waste from the Yarra and Maribyrnong rivers. They have already removed 1000 cubic metres of litter, or enough to fill 400 000 wheelie bins — and probably equivalent to the rubbish that comes out of the opposition from time to time! We are seeing a range of initiatives — whether it be water-wise practices, low-waste measures or a carbon neutral games — that will deliver a long-term benefit to the community which will also act as a catalyst for industry and the community to build upon. Of course the best part about this is that it will make Victoria a better place to live.

Consumer affairs: mobile phone scams

Hon. D. K. DRUM (North Western) — My question is to the Minister for Consumer Affairs, the Honourable Marsha Thomson. Amid the government's constant bleatings about making Victoria a better place to raise a family, can the minister tell us what action she has taken to protect Victorian families against a sharp increase in mobile phone ring tone scams, where an individual may get a free ring tone but then bind themselves into a contract where they will have subsequent ring tones at perhaps \$5 each sent to them on an ongoing basis?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I thank the member for his question. In fact there have been alerts given by Consumer Affairs Victoria for people to be very careful about some of the ring tone scams. As a matter of fact, across jurisdictions from time to time, not just with other state governments but with the Australian Competition and Consumer Commission and in some cases international consumer agencies, scam monitoring is undertaken and reported upon, and where action can be taken, it is taken by the jurisdiction that can take it. Where there are individual consumer complaints in relation to their own experiences or the difficulties they might find themselves in, the consumers involved should contact Consumer Affairs Victoria and have the matter followed up.

I add that changes to the Fair Trading Act that were made by my parliamentary colleague Mr Lenders when he was consumer affairs minister put into that act an unfair contracts clause that now provides Consumer Affairs Victoria with an opportunity to look at the clauses within contracts to determine whether they are unreasonable and unfair and therefore proceed on behalf of consumers in relation to those clauses. I have mentioned in this house before changes we have been able to make in some of the contracts that have been entered into with the car hire industry in relation to unfair terms included in those contracts.

As an agency Consumer Affairs Victoria is more than prepared to look at ways in which it can protect consumers. Most importantly we are very conscious of the need to ensure that consumers are aware and educated, because ultimately it is through being knowledgeable about their rights and entitlements and aware of what kinds of scams are out there that consumers can make better decisions. That is one of the fundamental responsibilities of Consumer Affairs Victoria: to ensure that consumers are well educated and well informed about their choices and options and the scams they need to look out for.

I inform Mr Drum that we do send out press releases and notify MPs of the latest scams and practices. If he wishes to use his opportunities as a local member of Parliament to help spread the word, that would be most welcome.

Mr Pullen — On a point of order, President, I suspect that Mr Olexander is eating in the chamber. I thought that was against the rules.

The PRESIDENT — Order! This issue has been raised by members in the house before. It is not deemed to be appropriate for members to consume food or chew like a cow with its cud. I ask members who might be chewing to desist from doing so.

Supplementary question

Hon. D. K. DRUM (North Western) — These contracts are still very active in the community. In the last quarter there has been a 560 per cent spike in the number of complaints that have been made to the telecommunications industry ombudsman, who is now getting over 500 complaints in relation to these issues every quarter. I ask the minister: would it not be appropriate to initiate a TV campaign, print campaign or even a school-based campaign to warn young Victorians against the damage and financial trouble that they could get into with these ring-tone scams and contracts?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I welcome questions in the house about genuine consumer issues, and in this instance I have indicated — —

Hon. D. K. Drum — You don't think it is genuine?

Hon. M. R. THOMSON — No, I am saying I do welcome genuine requests.

Hon. D. K. Drum — You have a sarcastic look.

Hon. M. R. THOMSON — No.

The PRESIDENT — Order! Mr Drum has asked his question. I ask him to desist and allow the minister to respond to the question he asked.

Hon. M. R. THOMSON — I thought I gave a very thorough and serious response to the issue Mr Drum raised in relation to ring-tone contracts. I indicated what Consumer Affairs Victoria is doing to try to ensure that consumers are aware of what their rights and entitlements are. In his question Mr Drum raised the issue of the telecommunications ombudsman and the level of complaints received by the ombudsman. I

remind the member that telecommunications is regulated by the federal government, and if he is — —

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

Housing: environmental sustainability

Mr SCHEFFER (Monash) — My question is directed to the Minister for Housing. Can the minister advise the house about actions the Bracks government is taking to demonstrate the social and environmental benefits of environmentally sustainable features in new housing developments?

Ms BROAD (Minister for Housing) — I thank the member for his question. The Bracks government certainly believes the government should play a leadership role in demonstrating the social and environmental benefits of environmental sustainability, as well as doing so within a financially responsible framework. As a result the Office of Housing has been hard at work building environmentally sustainable homes as well as retrofitting existing ones, demonstrating the social and environmental benefits and ensuring value for money in the building program.

The result of that hard work is apparent for everyone to see. More than 10 000 tenants enjoy the financial and environmental benefits of solar-powered hot water; all newly built properties are 5-star energy efficient; and in 2005 we will achieve for the first time a 6-star energy efficient high-rise tower. One of the projects I have been pleased to encourage is the development of K2 apartments in Raleigh Street, Windsor, in Mr Scheffer's electorate.

Hon. Andrea Coote — In mine, too!

Ms BROAD — Indeed. When finished the project will become an impressive demonstration of what can be achieved for the environment and housing tenants through innovative design. This prime inner city site is just north of St Kilda Junction, with excellent access to medical facilities, including the Alfred hospital. It is a very well-located site in anyone's terms. It was chosen as the location for the environmentally sustainable housing design competition. The aim of the competition was to achieve both positive social results and environmental sustainability. I am pleased to say that the winning architect, Designinc Melbourne Pty Ltd, was engaged to develop its winning design, and the builder, Hansen Yuncken Pty Ltd, was appointed and work has now commenced. The development will consist of two pairs of towers ranging in size from five

to eight storeys, each served by lifts, with a total of 96 homes as well as a community meeting room.

This project uses renewable energy and passive solar design principles and contains water recycling and conservation features. This will ensure the running costs for tenants are minimised, an important matter for people on low income and a limited budget as well as helping the environment. Key features of the development include reduced maintenance of the passive and active environmental systems; minimal user control for operating the systems; selection of materials using a total life cycle approach; adoption of north-south orientation and cross ventilation; use of photovoltaic cells and flat plate solar collectors for water heating; water efficient fittings and fixtures and a grey water, not a black water, and rainwater collection and reuse system. The Bracks government will continue to lead the way by improving the environmental features of — —

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

Commonwealth Games: athletes village

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — My question is to the Minister for Commonwealth Games. I refer to the minister's statement to the house of 18 November 2004 that the cost of the remedial works at the games village site were covered by the \$21.8 million whole-of-games contingency appropriated in last year's budget. Does the minister stand by that statement?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — In relation to the Commonwealth Games village, I welcome any question in relation to any matter about the games, but we are very pleased by the works that have been undertaken at the village and substantial works are progressing at the moment. At a recent visit I was able to see the significant work being done there and the enormous contribution being made by the workers on the site. It gives me great delight to know that it is progressing particularly well and it will be an outstanding benefit to the community, not only at the time of the games but well into the future.

Significant remedial works have been undertaken, which I have announced previously and at various stages throughout the development. I reinforce that it was a former government site, with a former psychiatric centre located across the whole site. It is worth appreciating that because of the nature of the site there were substantial remediation works. From time to time

over the history of the site, rather than removing any hazardous waste or material it would appear some of it has been left in and around the site, or by the nature of the old site itself there has been a significant amount of remediation work either in terms of the buildings on the site that have been retained or soil remediation works. The remediation has been quite distinct. As I have mentioned on a number of occasions, those remediation works have formed part of the contingency allocated within the government's capped contribution to the Commonwealth Games.

Supplementary question

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — I thank the minister for his answer. If the cost of the remedial works are covered by the budget contingency, as the minister has said, why was a separate Treasurer's advance of \$500 000 needed for the remedial works?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — I think the Honourable Gordon Rich-Phillips is confused by the figures he quotes. As mentioned on a number of occasions, the works conducted on the site and across other sites relate to the Commonwealth Games budget. We have kept that budget. We are pleased about the way all the works are progressing and by the way all targets are being reached. I have every confidence that every element of games delivery will be achieved, whether it be infrastructure works, remedial works, any overlay works at the time of the games, works that need to take place post the games regarding remediation of any part of the site or works that are relevant to the games delivery. All the targets have been set —

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

Consumer affairs: sustainability education initiatives

Ms ARGONDIZZO (Templestowe) — Will the Minister for Consumer Affairs advise the house of the actions the Bracks government is taking to support sustainable consumption?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I thank the honourable member for her question, because Victorians are becoming more aware of the issues around sustainability and the importance it plays in their daily lives as consumers and are wanting to be more aware of sustainability when it comes to purchasing for the home or their transport alternatives or uses. We are conscious of the need to ensure consumers are aware of how they can account for these

issues when they purchase goods and services and when they want to be attuned to sustainability issues around the consumption of goods. This increase in interest in the issue is obvious from the response to the Bracks government's issues around water saving, the way that has been welcomed by the community and the uptake by the community in that area.

In fact in consumer education it was my predecessor, Mr Lenders, who did a fantastic job in launching a consumer education program in schools which provided a package of resources for secondary teachers on commerce, mathematics and English subjects that included issues around consumer affairs but fitted in with curriculum guides for those subjects. This year we are producing a new resource book for schools called *Sustainability*. The sustainability resource course covers a range of important consumer issues, particularly for young people who are genuinely interested in this issue and want to secure the environment not just for themselves but for future generations. It talks about issues such as creating an energy efficient home and how you make sensible and wise decisions about product; it talks about transport alternatives — whether public transport or issues around fuel; and ecotourism and other matters. It is obviously a great resource for children and the parents of students. It will help educate our young people about the importance of sustainable consumption and the best way to go about it and make decisions about how they can incorporate it into their lives as consumers.

It is a forward-thinking initiative by the Bracks government. It is being welcomed by teachers within the school system, and it comes on the back of other areas of support given by Consumer Affairs Victoria to the areas of sustainability, understanding the products that are out there and being able to make sensible decisions around sustainability to ensure that Victoria remains a great place to raise a family.

Hazardous waste: Nowingi

Ms HADDEN (Ballarat) — My question without notice is to the Minister for Major Projects, Mr Lenders. As the Minister for Major Projects, he was interviewed on the ABC's *Stateline Victoria* on 6 May 2005, when he stated in response to questions:

If one of these trucks overturns, you simply scoop it back onto the truck.

Will the minister describe in detail the type and form of toxic waste that will be transported along the Calder Highway, the preferred highway, route to Hattah-Nowingi?

Mr LENDERS (Minister for Major Projects) — Firstly, for the record, regarding the *Stateline* interview that the member referred to, I was asked a number of questions and I was contrasting a substance that is non-toxic, non-corrosive, non-infectious and hard versus high-octane fuel and what would happen if the petrol tanker carrying it through a town overturned and the inflammable fuel went into the gutters along the road. I was contrasting the non-toxic substances with substances such as fuel, ammonium nitrate and liquid petroleum gas, which go through our towns at the moment, and was saying what could happen. I would suggest to those who are scaremongers by nature and who do not wish to have a rational debate that they should see the whole interview in context, because I, for one, certainly think we need to have that. Let us first put that in context.

Secondly, any member in this place who is interested in jobs in their town or community; who is interested in jobs in the textile, car components or auto servicing industries in a town such as Ballarat; who is interested in farmers having access to ammonium nitrate; or who is interested in communities having access to things as basic as fuel, needs to have a balanced view of how we should deal with these substances. As a community we have dealt quite well with the issues of petrol, liquid petroleum gas and ammonium nitrate, and with things from regional towns like the by-products of the textile, auto components and construction industries, which are all great job creators in all parts of Victoria.

What this government is seeking to do through its long-term containment facility process is to avoid the situation where unprotected unprocessed wastes are left about in communities. We are seeking that substances that are dry, non-corrosive, non-infectious, non-liquid and stored in containers be put into a facility. That is what the *Stateline* interview was about and what this government is serious about, knowing that some will make uninformed decisions and cheap political shots without any regard for jobs in their own electorates, for the safety of their own communities or for what a fear campaign might do to communities that want fuel, ammonium nitrate and liquid petroleum gas. This government welcomes debate. That is why we have an environment effects statement, and such a statement — and I could certainly quote things Mr Baxter and numerous members opposite have said in this house — is the proper way to go when we deal with these issues.

We will move forward. We will go out there and discuss with communities how we address these important issues and how we get the balance right. But the last thing that this community deserves or wants is a fear campaign stirred up by people with political

agendas and no vision for their communities. We want and welcome the debate, but we need to have it on terms that look after communities and regional Victoria.

Supplementary question

Ms HADDEN (Ballarat) — I had some difficulty hearing the minister's answer because of the loud interjections from my left.

Honourable members interjecting.

Ms HADDEN — No, on my left. This is another example where the Minister for Major Projects cannot even hear my question because of the interjections from my left.

Given the minister's answer, I ask: how will the scooping up occur in heavy rain and what measures will be implemented to prevent run-off, or will the minister place a ban on B-double trucks transporting toxic waste in inclement weather?

Mr LENDERS (Minister for Major Projects) — I would welcome at any stage an informed and rational discussion on this area — I continue to do that — but I say that my responsibility as Minister for Major Projects is to develop and construct the site. However, I am absolutely confident that the minister responsible for the Environment Protection Act would gladly deal with that issue if it were addressed to the correct minister by the member. It is worth noting that I am happy to oblige on any areas in my portfolio, but I would have thought that a member who has been in this place twice the length of time that I have would know its rules and how to ask a question of the appropriate minister. I suggest she put it on notice for the appropriate minister.

Energy: sustainable development awards

Ms CARBINES (Geelong) — My question is to the Minister for Energy Industries and Resources. Will the minister advise the house of any recent initiatives of the Bracks government that will encourage sustainable development in the resources sector?

Questions interrupted.

DISTINGUISHED VISITOR

The PRESIDENT — Order! Before I call the minister I wish to acknowledge the presence in the gallery of a former member of this chamber, Mrs Jean McLean.

Questions resumed.

Hon. T. C. THEOPHANOUS (Minister for Energy Industries and Resources) — Mrs McLean was indeed a very good member of this house.

I am very pleased to answer this question, which of course is about sustainable development in the resources area of the mining industry. Some members might not think that sustainable development is an important factor in this industry, but it is one of the most important. It is a value which we now share with the mining industry itself. In fact the Minerals Council of Australia has produced some of the most comprehensive sustainable development guidelines yet developed, known as Enduring Values.

The whole idea behind sustainable development in this sector is that we do not do things today that would compromise the capacity of future generations of our children to maintain their lifestyle in the way we have been able to. It is for this reason that this year the Bracks government had the inaugural Strzelecki awards for sustainable development in Victoria's earth resources industries.

The awards were named after the polish explorer and mineralogist Sir Pawel Edmund de Strzelecki who visited Australia in the 1830s. He was a strong advocate for rational use of our natural resources. These awards were announced by me on 29 April here in Queen's Hall, and I have to say that they received tremendous support from the mining industry. There was vigorous competition for the awards, and I want to highlight for honourable members some of the award winners. The gold award for industry best practice, which was sponsored by the Environment Protection Authority, went to Loy Yang Power for implementation of an environmental management system which meets international standards.

The gold award for community engagement, which is sponsored by the Department for Victorian Communities along with us, went to the Douglas Project at Iluka Resources. It carried out extensive community consultation for the project, and I can report to the house that it was so successful that a number of companies now are contacting Iluka, asking what they did right in their community consultations in order to win this award.

The gold award for management of the natural environment went to the Karkarook Park, Readymix/Boral Pty Ltd. This park, a former quarry, is now a thriving area with diverse ecosystems and landscapes that balance the need of both the

environment and the park's 160 000 visitors per year; so it is a real success story in the mining sector. Finally the platinum award went to the same company, Readymix/Boral, in relation to the development of the park, because it was seen to be such a fantastic development.

These awards are a great example of the Bracks government working with industry to achieve what we call the triple bottom line of growing the economy, protecting and improving the environment and building communities. The awards are doing their job — they encourage best practice, sustainable development principles throughout the resource industry, and I congratulate all of the winners.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Finance) — I have answers to the following questions on notice: 4362, 4376, 4396, 4397, 4399, 4416.

Ms Hadden — On a point of order, President, I wish to move that the answer of the Minister for Major Projects to my question be taken into account on the next day of meeting.

The PRESIDENT — Order! The member needs to do that at the conclusion of the minister's answer. She can give notice that she wishes to move that motion, but she cannot take note of it because the time for questions without notice has expired. She should have done it at the conclusion of the minister's answer.

GAMBLING REGULATION (PUBLIC LOTTERY LICENCES) BILL

Second reading

Debate resumed.

Hon. DAVID KOCH (Western) — Before lunch — and I must admit it was very enjoyable. I dined upstairs in the Strangers Corridor with my colleagues and dear friends from Warrnambool; the dining room really looked after us well, and I suggest others use that opportunity when it avails —

Mr Smith — What did you have?

Hon. DAVID KOCH — We had beautiful steak and lamb, all from regional Victoria, and it was done to a treat.

Mr Smith — Was it from the high country?

Hon. DAVID KOCH — No, it came from western Victoria — from Western Province.

On the bill, prior to lunch I was talking about applicants being required to furnish two applications, as there are two types of licences required under the bill. In saying there are two processes there, we have both exclusive licence opportunities and also opportunities for up to three non-exclusive licences. Importantly, the one and only major concern the opposition has with the whole bill is contained in clause 11 on pages 7 and 8. This inserts new section 5.5.6A, which allows the minister to give a written direction to a licence-holder to disclose information. This provision reads:

5.5.6A Directions to provide information etc.

- (1) The Minister may give a written direction to a public lottery licensee requiring the licensee to provide to the Minister any information or document, or any class of information or document, that is in the possession or under the control of the licensee and that —
 - (a) relates to any arrangement or agreement between the licensee and one or more parties in Victoria or in any other State or Territory or another country relating to the operation of public lotteries under the licence ...

I wish to advise the house that I intend to move amendments to amend clause 11 on page 8 by inserting after line 27 the following words:

Before the Minister discloses any documents or information under sub-section (3), the Minister must cause a statement in writing containing details of those documents or that information to be laid before each House of the Parliament.

The passage of that amendment will offer some protection to those in the industry who wish to make an application for licences. We feel very strongly that this information is commercial in confidence and would skew the whole process. We again strongly believe that applicants for these licences should be offered this protection to gain independent and fair outcomes. The gambling industry is very competitive. There are huge amounts of money at stake, and anything that unfairly affects this process should be avoided at all cost.

By making two types of licences available, and also by extending the licence period from 7 to 10 years the government is hoping it will draw higher bids. Taking the licences out to 10 years opens up the opportunity for former non-players who may have regarded past repayment periods of only 7 years to be too short. Maybe this would advantage that process and ultimately make it more competitive. This could also

see a final licence fee outcome that may not find the windfalls that this government believes are out in the marketplace.

At the end of the day, with the exception of the amendments moved earlier, the opposition will not be opposing the bill. It would be our sole intention that these licences should only go to applicants and prospective licensees that meet and can demonstrate high standards and the most stringent probity checks that are submitted in a fair and professional manner.

Hon. D. K. DRUM (North Western) — The Nationals will not be opposing this legislation. However, we will be supporting the Liberal Party's amendments to the bill. We share the concern of the Liberals that there are certain aspects of the legislation that will be in some way prohibitive in enabling the providers to act on commercial-in-confidence issues. We believe the proposals in clause 11 are intrusive and in some respects unnecessary, and we will certainly be supporting the Liberal Party's amendments to this bill.

The bill obviously sets out the rules for when public licences for lotteries will be issued after 2007 and it gives legislative effect to the government's announcement in March 2005 for the re-licensing arrangement for public lotteries after the expiration of the current licences on 30 June 2007. It will also outline the proposals of the licence-awarding process for licensees of public lotteries after that date and it will make a number of other amendments to the public lotteries licensing system. Those changes will take effect after this bill receives royal assent.

The Nationals have spoken to the providers — Tabcorp, Tattersall's and the Crown Casino — although the provisions within this bill are not going to be as such that they will impact on the casino. It does not come under this legislation as Crown has its own arrangement with its revenue and will therefore be excluded from this process. In 2004 the government announced that it was going to undertake a review into electronic gaming machines, wagering and the lotteries licences, and this legislation is the result of those reviews. The gambling licence reviews have now been brought forward in two separate stages. The public lotteries reviews were announced in 2004 and we are currently dealing with that information now, but the wagering and the electronic gaming machines (EGMs) will be dealt with later in 2005.

In September 2004 the government circulated an issues paper which involved 23 submissions. The government statement following that effectively put its announcement into three principal components: firstly,

that the licences for lotteries will be awarded after 30 June by a bidding process; secondly, that they will either be offered to an exclusive licence provider or they will be shared around to include as many as three non-exclusive providers of lotteries licences; and thirdly, there will be new conditions and new regulations imposed upon any recipients of those licences into the future.

These new measures that have been put in place are supposed to be in line with government policy on responsible gambling. We also understand that the government wants to make sure that it will be maintaining strict probity measures in relation to gambling. It is the view of the government that these initiatives will proceed on the basis that we will be able to create an acceptance of gambling as having a valid place within the Victorian community. That is the premise behind the introduction of the legislation.

The public lotteries business is worth in the vicinity of \$900 million to the government each year, and we understand that \$300 million is channelled into our hospitals and charities fund. It is certainly a significant amount of revenue for the government. We must remember that a few years ago the government went to the two providers of EGMs, Tabcorp and Tattersall's — the poker machine operators — and slapped a \$1500 per year tax on each of the gaming machines throughout Victoria. That \$45 million windfall to the government was able to be directed into the health budget. It certainly saved the government an enormous amount of money, because it was able to channel the proceeds of that new tax that was initiated only a few years ago into the Department of Human Services. We also know that only a few months ago the government asked those operators to double that tax to \$3000 per gaming machine throughout Victoria, making it a total of \$90 million being channelled into the hospital system, saving this amount from the health budget and adding to the government's revenue. We also understand that the government receives approximately \$900 million from EGMs out of 33.33 per cent of the revenue derived from electronic gaming machines. That is now approaching \$1 billion. As I have said, it receives \$900 million from lotteries, and there is also \$90 million from the health tax.

The government has now taken full control of the Community Support Fund, which is some \$132 million to \$140 million per year. We are talking in the vicinity of \$2 billion per year coming out of various forms of gaming straight into the government coffers. It is an enormous amount of revenue generated by this government. The fact that so many people are prepared to wager their hard-earned income weekly on gaming

should make us aware of how enormous the industry is and that it forms an intricate part of the lives of so many Victorians. Like most other developed societies around the world, Victoria has developed a strong gambling culture. It generates enormous profits for some of the providers and enormous revenue for our governments. While our governments are prepared to pocket this gambling revenue, gambling turnovers of that type will always be generated. It is interesting that this government has become very reliant on the gambling dollar. The revenue is channelled directly into service provision. The government has refused to hypothecate any of this money back to the communities from where the taxes derive in the first place.

We strongly oppose how the government now handles gambling revenue. We believe in the system evident 15 or 20 years ago, where all the communities that were fortunate or unfortunate enough to have gaming machines at least benefited from that revenue and those profits. Those community-based venues that were quick off the mark to offer gaming machines to the public also reinvested the profits from the gaming machines back into the communities in a way in that had never been seen before. Those derived gaming profits have been the lifeblood of many towns along the Murray River — namely, Moama, Barooga and certainly Mulwala. Along the Murray River an enormous number of small communities now boast the most amazing facilities for their communities built on the back of the gaming dollar earned in an era before the government started to put its claws on the gaming dollar and before it refused to hypothecate that money back to the community.

This bill also will amend the Gambling Regulation Act 2003 and will define public lotteries. It will distinguish between football tipping and soccer pools and define lotteries with that group, and group them into one category. It will categorise all the other approved betting competitions into a separate category. We will deal with that at a later date in this Parliament. The distinction between lotteries and other kinds of gambling will take effect from 1 July 2007.

The amendment being moved by the Liberals will be supported by The Nationals. We concur with what was moved in the other chamber. We believe that proposed section 5.5.6A, which is inserted by clause 11, is intrusive and will impinge upon Tattersall's working with its subsequent franchisees. It will create issues that might be better handled on a commercial-in-confidence basis. If it wishes to create a bloc series of revenues to spread its revenue and the prize money around the state and around the nation, we believe that is best handled by the providers rather than through government

intervention. We will be supporting the amendment to be moved by the Liberal Party.

The Nationals will not be opposing the legislation. However, we wish the government would look at returning larger sums of gambling revenue directly back to the communities from which it is taxed in the first instance. We believe it would be a good initiative of this government to start restoring some of the privately run gaming venues back to community-run venues to enable the proceeds on gaming to be returned to the community so the communities can see the direct benefits that are derived from gaming throughout the state of Victoria.

Ms MIKAKOS (Jika Jika) — I rise to speak in support of the Gambling Regulation (Public Lottery Licences) Bill — a bill about transparency, openness and competition. Those concepts are probably unfamiliar to members opposite. I well recall the days of the Kennett government when concepts such as transparency and openness were not practised. But the Bracks government understands these concepts, and they form the basis on which this government operates. This legislation seeks to put these concepts in place with the legislative framework for the public lottery licensing award process that will apply after June 2007 when the current licence expires.

The bill enhances the potential for competitive interest in public lottery licences. It also improves the government's ability to impose responsible gambling requirements on the distribution of public lotteries. These amendments and improvements will occur by virtue of changes to the Gambling Regulation Act 2003, and they have been developed following lengthy consideration of the post-June 2007 lotteries licence structure and the process by which licences are awarded. The Bracks government's objective with the public lottery licensing process is a structure that delivers the best results for Victorians over the longer term and operates in a framework which encourages responsible gambling.

I turn to some of the key features of the bill. Clause 6 redefines the term 'public lottery' to limit it to public lotteries plus two named sports products, footy tipping and soccer pools. This amendment seeks to overcome the current and potential future incursions into approved betting competitions created by the current legislative definition of the term 'public lottery'. It will remove some ambiguity for parties that are potentially interested in a lottery licence and simplify the product assessment and approval component of the overall licence assessment process. The new definition will not allow sport-based lotteries apart from footy tipping and

soccer pools to be conducted under this public lottery licence awarding process, except where the lottery might require a person to pass a test of knowledge or skill at an earlier or later stage of the lottery in order to qualify him or her to receive a prize or to participate further in the lottery.

I turn to the provisions that relate to the power to obtain and release information required for the licensing process. The proposal to provide that power is designed to further assist an open and competitive post-June 2007 lottery licence awarding process. The amendment is directed at potential lottery licence applicants obtaining relevant details of the national lottery agreements between the holders of state and territory lottery licences. If the relevant national bloc information cannot be obtained and provided to interested lottery licence applicants, Tattersall's or any other bloc member that bids for a Victorian licence would have a significant advantage over other licence applicants because only they could claim to fully meet national lottery bloc requirements.

Clause 11 of the bill provides the minister with the power to require a public lottery licensee to provide specified information relevant to any arrangement or agreement between the licensee and one or more parties in another state or territory, or another country, relating to the operation of public lotteries under the licence relevant to the public lottery licensing process. The minister will be allowed to disclose this information to the Victorian Commission for Gambling Regulation and to parties who register an interest in or apply for a public lottery licence. The amendment is necessary to support a fair and evenly weighted competitive process for all applicants for a public lottery licence. Access to the information will provide an understanding of any requirements or impediments that are relevant to the issuing of Victorian public lottery licences. This is consistent with the objective of a more competitive and even process.

By specifying when, to whom and how the information is to be disclosed, the clause provides a number of important safeguards on the disclosure of the information. The registrants or licence applicants to whom the information may be disclosed will be prohibited from disclosing the information to any other persons. The information about the bloc arrangements released would be restricted to how the bloc arrangements operate. It would not include details of Tattersall's role as the national lottery bloc administrator, for example. Nor would it include information about other contracts that Tattersall's has — for example, with its subcontractors or with

banks — because these would not meet the criterion of being relevant to the licensing process.

In his contribution the lead opposition speaker, the Honourable David Koch, foreshadowed amendments that he will move in the committee stage of this debate. I have not had the opportunity as yet to see those proposed amendments, but as I understand it they are in the same form as the amendments that were moved by the opposition in the other place. If that is the case, then the government will not support the opposition's proposed amendments. I will briefly turn to the foreshadowed amendments, again prefacing my remarks by saying that I have not seen them as yet but I understand they are in exactly the same form as those put forward in the other place. If they are what the opposition is going to be putting forward in the committee stage, I should say the government has some serious reservations about them and the impact they would have, given that one of the amendments relates to requiring that prior to its disclosure any information that the minister would receive from a licensee would require a statement in writing, with details, to be laid before each house of Parliament.

The other foreshadowed amendment would remove the clause that states that no compensation is payable by the Crown in respect of anything done in accordance with the section — in other words, it would provide that the state should pay compensation to the current licence-holder for any information obtained. When the opposition put those amendments in the other place late at night it did so not having sought any prior advice from the government as to the impact that the amendments would have and the massive advantage they would give the incumbent licence-holder — Tattersall's — in the current process of the lottery licence review.

The government wants competition and a level playing field. The reality is that if you have no competition, you do not provide information to prospective bidders. It is about a fair and evenly weighted competitive process, and the bill removes impediments to prospective bidders.

The opposition's foreshadowed amendments would remove the no-competition provision which would advantage the incumbent, and Tattersall's would have the privilege of a monopoly licence. Not only would it have that monopoly but the opposition would compensate it if this monopoly did not continue, so we would oppose the amendments on the basis that they are not consistent with our aim of achieving transparency, openness and greater competition.

I shall make some brief remarks on other key provisions of the legislation, one of which relates to the regulation-making powers. I note that at present there are no specific responsible gambling statutory requirements in relation to public lotteries. The Gambling Regulation Act 2003 does not currently provide the minister with the power to make responsible gambling regulations in relation to public lotteries. This is inconsistent with other forms of gambling.

The bill, through clause 14, inserts new regulation-making powers regarding responsible gambling requirements. Enabling regulations to be made under the act to support responsible gambling practices is consistent with the government's overall responsible gambling stance. A number of other states and territories have statutory regulations and codes of conduct in relation to public lotteries.

It is proposed that minimum responsible gambling requirements will initially be specified as licence conditions. These will cover the areas of point-of-sale environments, advertising, game development and distribution arrangements, and will be based on the codes of conduct existing in other states and territories.

Responsible gambling strategies will also be a criterion for assessing licence applications. Any responsible gambling proposals over and above the minimum prescribed will be seen as favourable.

The regulations will not be used to impose a ban on signage or impose a responsible gambling levy on lotteries, and the government does not have any intentions in this respect. If a levy were to be pursued, that would of course need to happen by way of an act of Parliament, not through regulation.

Turning briefly to other provisions that relate to removing restrictions on potential licensees, I note that the proposal to remove the restriction on Tabcorp as holder of a wagering licence from holding a public lottery licence removes an anti-competitive restriction. The proposal will have the effect of allowing a wagering licensee and gaming licensee to hold a public lottery licence but will continue to restrict its directors from having significant involvement in any other company that has a public lottery licence. This is consistent with the restrictions on Tattersall's as public lottery licensee. The proposed amendment will make the law consistent with the restrictions that will apply to Tattersall's once Tattersall's is corporatised.

The remaining restriction will not be a major impediment to Tabcorp in applying for a lottery licence,

if it chooses to do so, as it may hold a lottery licence directly. The remaining restriction only limits Tabcorp's capacity to apply for a licence as part of a consortium it does not control. This approach ensures equal treatment of Tattersall's and Tabcorp.

Again very briefly, I note there are provisions in the bill that strengthen the proposed Victorian Commission for Gambling Regulation's existing powers. The proposal to strengthen its powers relates to it being given an ability to claim its costs on investigations of gambling licence applicants and is designed to improve the commission's existing capacity to recover the costs of its investigations.

It will enable the Victorian Commission for Gambling Regulation to require applicants who are participating in the first stage of the application process, the registration of interest, to meet the costs of investigations. There are also provisions in the bill that extend the public lottery licence to be granted for a term of up to 10 years rather than the current term, and the longer licence term will make the Victorian lotteries market more attractive for new entrants by providing a longer period in which to recover start-up costs.

In conclusion, the bill provides the legislative framework for the public lottery licence awarding process; it enhances the potential for competitive interest in the public lottery licence; and it improves the government's ability to impose responsible gambling requirements on the distribution of public lotteries. It is a useful bill, and I urge members to support it. I reiterate again that the government will not be supporting the foreshadowed amendments because they are not consistent with achieving more transparency, more openness and more competition in our public lottery system. I commend the bill to the house.

Mr PULLEN (Higinbotham) — I rise to support the Gambling Regulation (Public Lottery Licences) Bill. Ms Mikakos has covered the proposed opposition amendments which we have not seen yet, but I did read basically what they said in the other place.

The main purposes of the bill are to restrict a public lottery licence to public lotteries, footy tipping and soccer pools, to extend the initial term of a public lottery licence from a maximum of 7 years to 10 years, to remove the restriction prohibiting directors from having a significant interest in certain other bodies, and to provide for responsible gambling measures in relation to public lotteries.

In July last year the minister announced the government's overall approach to gambling licence

reviews. This bill complements the first stage — that is, a review of the public lottery licences. On 24 March this year the minister announced the Bracks government's decision on the approach to public lottery licensing arrangements from 1 June 2007.

An information paper was released and some 23 submissions were received from individuals and groups, such as the Australian Hotels and Hospitality Association; Victorian Local Governance Association; Film Victoria; Golden Casket Lottery Corporation Ltd; Salvation Army; Interchurch Gambling Taskforce; Tattersall's Holdings Pty Ltd, and also from Tabcorp.

An article in the *Age* of 12 December 2004 regarding these applications reports:

An overwhelming majority of community and government groups have called on the state government to axe Tattersall's private lottery monopoly in favour of a state-run scheme.

Most submissions to a review of the state's lottery licence, released on Friday, call for an overhaul of the system when Tattersall's monopoly expires in mid-2007. There are also complaints that the government faces a conflict of interest.

But in the submission, Tattersall's, which has run lotteries in Victoria for 50 years, called for a continuing private monopoly, longer licence terms and tax changes to encourage new products.

As we have heard before, Victorians spent around \$1.16 billion on lottery tickets in 2003, and Tattersall's paid \$315 million in lotteries tax to the government in 2002–03. It is important to remember that Tattersall's returns 36.1 per cent in taxation.

The Australian Football League footy tipping competition licence, which expires in December 2007, will not form part of the forthcoming licence application process, and will be managed separately. Either a single exclusive licence or up to three non-exclusive licences will be issued to conduct public lotteries. I am not qualified to know whether more than one licence would be viable, but I suppose at least competition would enter into the market. It is important that we watch that very carefully. I buy a system 7 every Saturday. About 30 years ago I dreamed I won, but I ended up in here because I have not won Tattslotto. I have never won any prize out with those numbers. I buy my ticket from Tony and Leanne — very good people — at the Moorabbin railway station every week. The TAB came up with a similar sort of game to Tattslotto which was called the Mystery 6. In today's *Herald Sun* there is a survey entitled 'No more mysteries'. It states:

Tabcorp should ditch its novel bet types, the Mystery 6 and the Duet, according to punters.

The vote against the two relatively new betting options was overwhelming.

Of the 3586 punters who responded to the *Herald Sun* punters' survey, 60 per cent voted against the Mystery 6 and just 24 per cent for it.

...

The Mystery 6 is racing's version of Tattsлото where punters are given random numbers in the last six races of the meeting while the Duet asks punters to select any two of the first three placegetters in a single race.

Tabcorp strongly defended both bet types and assured the very limited fan base of the Mystery 6 and Duets they would continue.

'Our new bet types are here to stay and we understand they will take time to grow,' Tabcorp spokesman Bruce Tobin said. 'Because of the nature of the Mystery 6 product not requiring racing knowledge and skill, it is not sought by regular punters who were the main people to respond to the survey. Tabcorp's own research indicates Mystery 6 has been attractive to new punters and is bringing in new customers.'

This article also states:

Tabcorp has vowed to continue to improve its customer service and facilities despite a big thumbs-up from punters.

An overwhelming 71 per cent said they were satisfied with Tabcorp's overall level of customer service.

I would say hear, hear to that, because the workers in the TAB, particularly at the races, do a fantastic job. They get a lot of abuse at times, but I really think they are tremendous. I must say what does disappoint me though — I go to the races quite a bit, and although I might have only one bet on a Melbourne race, I might want to have a bet in the last at Warrnambool — is that they all go home. Since the TAB has been privatised it thinks of the dollar rather than the customer. This happens a lot when organisations have been privatised. I appeal to Tabcorp and ask that because these people are wonderful it keep them on up to the last race for the punters, wherever the meeting may be throughout Australia. I am also disappointed to see that Tabcorp is considering closing down its telephone betting service in Melbourne and sending it off to Sydney. Some of these people have worked in this industry for many years.

I want to talk about the bookmakers. I am a great believer in competition. I know that sounds a bit strange coming from a great believer in the socialist society. I think bookmakers should be given every opportunity to compete on all sorts of betting if they want to — that is, licensed bookmakers. They should compete against the TAB and Tattersall's or whoever else is in this industry. An article in today's *Herald Sun* says:

Racing Victoria agrees with punters that bookmakers still have an important role in Australian racing.

A healthy 52 per cent of punters surveyed said they believed bookmakers offered a competitive service to Tabcorp.

I met with a very senior bookmaker. I told him to go to the Victorian Bookmakers Association and ask them to put to me their ideas of what they should be able to bet on. We in Victoria have to be able to compete against the bookmakers in the Northern Territory and places like that so that the money will stay here in Victoria.

I am not here to speak in support of any organisation getting the licence. I saw the figures on the expression of interest. If people want to register an interest in this, they will have to lodge about \$25 000, and the licence application could cost around \$200 000. They are only indicative costs at this stage. In an article in the *Age*, Tattersall's said there should be only one operator. I downloaded the expression of interest lodged with the government. Tabcorp also says the same thing. It says:

The parimutuel —

I had to look up the dictionary to find out what that means, and it means cut off or reducing —

nature of lottery products is conducive to only one licence being issued in Victoria. This is because of the need to establish and maintain a large pool size in order to make customer participation attractive. The existence of many lotteries would result in small payouts and render the product less attractive to customers. Tabcorp does not believe current lottery revenue would be sustainable if there were multiple operators in this state.

But, as I say, only time will tell whether that is right or not.

I want to touch on a very important point in relation to responsible gambling. If people want to have a flutter on a Tatts ticket — it is gambling, although a lot of people think it is just buying a raffle ticket — go to the races or have a flutter on a poker machine, that should be their right. The government has been excellent in relation to responsible gambling.

At the invitation-to-apply stage, the minimum responsible gambling obligations will cover distribution systems, point-of-sale environments, advertising and game developments, as Ms Mikakos said. The lottery licence applicants will be invited to submit proposed initiatives over and above conditions. These will be assessed as part of the evaluation process. We expect that the minimum requirements along with any further responsible gambling undertakings agreed with the successful applicants will be incorporated in the post-June 2007 lottery licence. Some of the things we will be looking for in responsible gambling provisions

for lotteries are player information to be available from retailers and head office providing information for players, such as problem gambling services, the odds of winning and the return to the player — —

Hon. W. A. Lovell — It's already happening now.

Mr PULLEN — I have no doubt it would happen at Ms Lovell's shop if it were open!

In relation to the signage, it has to be a prominent display of prescribed signs in retail outlets indicating information such as restrictions on credit. I have no doubt Ms Lovell's staff would have been well trained. Retail staff are to be provided with information and appropriate site-based training in the responsible service of lottery products, including laws relating to sale to minors, laws relating to the provision of credit, managing intoxicated players, appropriate responses to distressed players and those seeking help for excessive gambling and limits on cash payouts.

In the other place there was mention of an opposition amendment which I understand is going to be moved in the committee stage here, but I have not heard what it is. I heard Mr Koch mention something about it, but we will have to wait for the committee stage to debate any issues that come up. I turn to look at what was said in the other chamber by, I think, Mr Lupton, the member for Prahran. I will paraphrase briefly what he said about the opposition's amendment. He indicated that it was seeking to amend a particular element of the bill. He said it would remove from the proposed legislation the clause that requires bidding for licences to disclose certain information to the minister. The object of the exercise in having that clause in the bill is to enable a level playing field to be created between a current licensee, in this case Tattersall's, and any other licensee which may be entering into the bidding process. Ms Mikakos covered that very well. This is an excellent bill, particularly on the responsible gambling side of it. Everyone loves to have bit of a punt and a Tattsлото ticket and so on. I commend the bill to the house.

Hon. W. A. LOVELL (North Eastern) — In rising to speak in this debate today, I declare at the outset that my family runs two businesses that have Tattersall's lottery agencies in them, and also that I have had a close business association with the management and trustees of Tattersall's over many years.

This bill will put in place arrangements for the future licensing of lottery operators in Victoria. Before talking about the future, it is also important to look at the past. It is important to note that Tattersall's was invited to come to Victoria in 1954 by the then Labor Premier,

John Cain. A book *The Luck of the Draw*, which was written by Trevor Wilson, records that period. It states that John Cain made no effort to let the Premier of Tasmania, Sir Robert Cosgrove, know that he was negotiating this deal, and when John Cain made the announcement that Tattersall's would be moving to Victoria, Sir Robert Cosgrove claimed in a speech that he made on 18 March 1954 that he had been stabbed in the back by the Victorian Premier. That is a proud tradition for the Labor Party, and in every gaming or lottery licensing bill I will be raising that point because I think it is such a proud tradition in the Labor Party that we should acknowledge it every time!

Since that time Tattersall's has held an exclusive licence to operate lotteries in Victoria, and it should also be recognised that in this state, unlike many overseas countries, because of the strict government regulations that surround lotteries and gaming, we have had an industry that has been relatively free of crime and corruption, unlike what we see in other countries. It is also important to recognise that any changes made to the licensing arrangements in Victoria will not only impact on the operator, Tattersall's, but will also impact on the approximately 700 small businesses that make up the Tattersall's network and their many thousands of employees. I think that is an important point for the minister to take into consideration when he is considering whether he will reappoint Tattersall's as the licensee, or whether he will appoint a new licensee or multiple licensees. There is a lot more at stake than just the Tattersall's organisation itself. There are those 700 small businesses and their many thousands of employees.

This bill will extend the term of the licence from the current 7 years to 10 years. That is a very good thing. The renegotiating of licensing was previously done on a 3 or 4-year basis and then extended out to 7 years, and now it is being extended to 10 years. As I said, it is a good thing because it will provide greater certainty for the operator and will allow them to invest more confidently in the development of new games and also invest in new technology. That is something that has been needed in the industry. The Tattersall's network had been operating on some fairly clunky old computers until recent times when Tattersall's invested in some new whiz-bang computers. There are a few teething problems with them, I am told, but no doubt they will be worked out and these new computers will be much better than the old ones.

This bill also amends the definition of a public lottery and will not include the government's saviour of all saviours, the Tipstar game. It was going to fund so many things in Victoria but it has been an absolute flop.

I would say it looks as if the government is going to abandon that game because it has not included it in the definition of a public lottery as a game that will be able to be run by the new licensees, or by Tattersall's if it is successful in retaining the licence. But it is also more restrictive, and whilst it will include all the current games that are run by Tattersall's under that definition, apart from Tipstar, it does exclude it from running some of the games and the products that it had offered in the past — things such as a sweepstake, which it used to run on the Melbourne Cup and the Wellington Cup. These are games that it had traditionally run in the past. Tattersall's had not run them for the past few years, but under this new definition they will not be able to run those any more.

We were also told at a briefing that games such as Trakside and Mystery 6, which truly are games of chance, will still be seen as wagering. I cannot understand how the government can view these as being outside the definition of a public lottery, but it is going to use that to its advantage by allowing another operator to run those games.

Clause 11 is the provision that has raised concern amongst the opposition about this bill. This clause allows the minister to give directions to the licence-holder to provide any documentation or information regarding arrangements or agreements between the licensee and other parties, and in turn the minister can then disclose this information to any other party as the minister sees fit. This could be done to assist competitors who are also applying for a licence. This is Tattersall's intellectual property. Some of it is commercially confidential material. It would pertain to things like the agreements between the lotto blocs that were negotiated by Tattersall's, and it is its intellectual property and not something it should have to disclose to its competitors. That is why the opposition will be moving amendments today. I hope government members will see that this provision would be totally unfair and will support our amendments when Mr Koch moves them.

The bill also sets out a new two-step process for applying for a licence, and allows the Victorian Commission for Gambling Regulation to recover the cost of investigations into applicants for public licences. The first step will be to register interest in applying for the licence, which will cost around \$25 000. In the second step those who the Minister for Gaming deems fit will be invited to apply for a licence. At that point they will have to undergo a probity check. The cost of this process could be up to \$200 000. So for every 4 or 5 applicants, under this process the government will rake in around \$1 million in revenue. I wonder if the

likes of Tattersall's and Tabcorp, which have already undergone probity checks, will be required to go through them again or whether only new applicants will be required to undergo these tests.

The minister may then issue up to one exclusive or three non-exclusive licences. According to La Fleur's *World Lottery Almanac* there are 179 legitimate lotteries worldwide, of which 155 have the exclusive right to operate market lotteries within their jurisdiction. It is quite the norm for a single-operator licence to be issued. I hope the minister takes that into account, because there really is a very low margin and too many games operating would lead to lower jackpots and less revenue for the government — but I will go into that issue in a little more detail soon.

I grew up in this industry. From when I was a very young child in primary school my parents were lottery agents. I remember the old days of a ticket in Tatts. I used to get my mum to buy me the odd ticket in Tatts when I was pretty young. I always bought two 50 cent tickets; I would call one Think Big and one Think a Little Bigger. That was because Think Big was the first horse I ever bet on in a sweep that won the Melbourne Cup. I continued that tradition into my Tattslotto years after I left school. I won some rather nice prizes on Think Big, so I always like to thank Think Big for my luck in the lotteries.

Having seen the development of the games over the years I also remember the introduction of Tattslotto in 1972. Tattslotto was pretty slow to get off the ground; it only had a very small first division prize pool. It started out at around \$25 000 per week. It was not going very far. It was drawn on a Thursday night, but then moved to a Saturday night. Those of us who are old enough may remember *Penthouse Club* with Mary Hardy and Bill Collins. Saturday night became Tattslotto night.

Tattslotto started to pick up from there, but it still was not growing extremely fast until it introduced what was known as jackpotting, which meant that if the first division was not won one week, it would jackpot to next week, so the prizes started getting bigger. As the jackpots caught on and the prizes got bigger and bigger, more people became involved in playing Tattslotto. It is the jackpots that drive the game.

Around 1980 Tattersall's negotiated the Lotto bloc. It brought in every other state in Australia, apart from New South Wales, to join in the Lotto bloc for a Saturday night game. By having that bigger pool to draw from for entries, the first division prize grew and grew. New South Wales later saw the error of its ways and also joined the bloc because the first division prize

is really what people are after. I always remember when for many years I stood behind a counter and sold lotto tickets how I could see that the customers were thinking about how 'to spend the first division prize.

Hon. J. G. Hilton — On a point of order, Acting President, I have been listening very carefully to Ms Lovell's presentation, and I believe it is essentially a thinly veiled promotion of Tattersall's, which I do not believe is appropriate in this place.

The ACTING PRESIDENT (Ms Hadden) — Order! I do not believe there is a point of order. This is a wide-ranging debate and Ms Lovell has been speaking on the bill. There is no point of order.

Hon. W. A. LOVELL — When people are wondering how they are going to spend that money you realise that you are selling a dream and not a ticket. It is that person's dream, as the Tattersall's advertisement says, 'Tatts me out of here!'. To get back to why I was talking about those things, the jackpots drive the games. The government needs to understand that these should be carefully managed, and they need to think before they appoint multiple operators about the impact it could have on their revenue. Competition between lotteries would provide an environment in which no-one would sell enough tickets to support prize pools capable of paying prizes large enough to ensure massive support of the game, and that may lead to less government revenue.

While talking of government revenue let us look at the break-up of every dollar spent on a lottery in this state. Of every dollar spent on a lottery, 60 per cent or 60 cents goes to the prize pool for return to players, 39.1 per cent or 39.1 cents goes to the Bracks government and 3.9 per cent goes to the lottery operator. Out of that 3.9 per cent the operator needs not only to administratively run the game but to promote the game. The Victorian government takes the highest return from lotteries of any government in Australia or New Zealand. It also pays the lowest statutory margin to the operator. Tattersall's is operating on the lowest margin in Australia and New Zealand and operating very well, and the government is operating on the highest margin of any government in Australia or New Zealand. The business of lotteries is not like other forms of gaming or wagering. It is about fulfilling dreams. It is about 'Tatts me out of here'. It is about changing your life. For over the past 51 years Tattersall's has fulfilled the dreams of many Victorians, not just through lotteries but through its generosity to hospitals, sporting clubs, the arts and community events. A ticket in Tatts is part of Victoria's heritage, and I hope that heritage continues in Victoria.

Motion agreed to.

Read second time.

Committed.

Committee

Clauses 1 to 9 agreed to.

Clause 10

Hon. DAVID KOCH (Western) — I address clause 10 from the point of view that we note that licence periods will now move from 7 to 10 years. We see that as an advantage in itself. As the Chair and the minister will be aware, the opposition's main concern is with clause 11. All we want to see is a fair and professional process being put in place that is attractive to those who may wish to express an interest in gaining a lottery licence. We see clause 11, along with clause 10, as possibly impeding that process and possibly costing Victoria the opportunity of gaining the best licence fee result. It is important that we say we are asking that all the information considered for a lease be fair and above board. In saying that it is important that I note, as has been indicated in the second-reading debate and will be indicated by questions in this committee stage, the government appears to be caught up with the part of the legislation that deals with the monopoly licence, which after 1 July 2007 will be broken up. I believe strongly that that in itself diminishes any concerns in relation to the anticompetitive legislation, which this legislation seems to dwell on. I suggest to the minister that competition will be increased by extending the licence period from 7 to 10 years. That will open up an opportunity for many who wish to apply, and giving successful applicants the ability for recovery over an extended period should be considered as removing many of the concerns the government has.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I am not sure if there were any questions in relation to the clause. Mr Koch was making some points about the opposition's position on the clause, which may or may not assist. If there are specific technical questions, I am happy to speak more broadly on the clause.

The purpose of the amendment is to give the minister power to require the current public lottery licensee, Tattersall's, to provide the minister with a copy of its national bloc arrangements with other state or territory public lottery providers. This amendment is necessary to support a fair and evenly weighted competitive process for all applicants for a public lottery licence. I am advised the amendment also provides that any

information provided to the minister in response to a direction from him, such as the national bloc arrangements, may be divulged by the minister to persons who have registered an interest in the grant of a public lottery licence and persons who have applied for such a licence.

The CHAIR — Order! We have not moved on to clause 11, Minister. We are actually on clause 10.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I am sorry, I have raced here at the last minute. That might even pre-empt the answer on clause 11, but in relation to clause 10 — —

Hon. Andrea Coote — You wouldn't like to volunteer for any other portfolios?

Hon. J. M. MADDEN — No. I was happy to provide information at great length there, but I will leave it at that, and if there is any specific request, given that the member has made a fair amount of comment in relation to the clause, I will be happy to move to clause 11 when the time comes, but I have probably answered most of it already.

Clause agreed to.

Clause 11

Hon. DAVID KOCH (Western) — Clause 11 specifically refers to the minister calling for information from the incumbent licensee, and I formally move the amendment I raised in earlier debate. I move:

1. Clause 11, page 8, after line 27 insert —
 - '(4) Before the Minister discloses any documents or information under sub-section (3), the Minister must cause a statement in writing containing details of those documents or that information to be laid before each House of the Parliament.'.
2. Clause 11, page 8, line 28, omit "(4)" and insert "(5)".

Importantly, the opposition very strongly regards that information as being commercial in confidence. It is important to note that the incumbent licence-holders have secured a lot of this information at their own cost, and it may be seen as giving an unfair advantage if it were released at the discretion of the minister. From that point of view my question to the minister is: does the government have a problem handing on sensitive information of this nature to applicants or prospective applicants in seeking these licences?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I appreciate and acknowledge comments in relation to disclosure, and no doubt there

is significant commercial advantage in having acquired that information over a long period, but in terms of opening up the potential for competition it needs to be appreciated that in order to give that level playing field the reality is that if you do not release some of that information there is no guarantee that you will have real competition. It is about a fair and evenly weighted competitive process.

I do appreciate that some of that information may be in some ways commercially sensitive, but I also appreciate that if one is to get a true and accurate representation of what the market can realistically achieve and provide to the government through that competitive process, then it is important that there is a level playing field — the term we have used before — to ensure there are no impediments to prospective bidders. Without a reasonable distribution of some of that information you will not necessarily get the guaranteed effectiveness of the competitive process. It is about getting a fair but competitive process so that what comes to the government reflects the ability of the market to truly perform, as opposed to what we have seen in instances where information was not necessarily released to prospective bidders for all sorts of licences or arrangements. Before very long those who took up the licences fell over in one way or another because the process delivering the right or licence did not allow full disclosure or due diligence.

Hon. DAVID KOCH (Western) — We certainly appreciate that much of the information that would be sought by the minister in relation to this legislation is sensitive. Our major concern is that the minister will have total discretion over what is or is not released. Will the minister indicate where, if there are any, the boundaries are?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — The only qualification is reasonableness. These are fairly strong provisions. I am advised that in order for the minister to be able to guarantee that organisations will release the information necessary to undertake a process which is rigorous, frank and forthright in terms of the information, the discretion rests with the minister, but the rider to it is reasonableness. So in requesting that information it will be expected that once the minister is in receipt of it he or she then has the discretion to release it. However, can I just say that that would be done on the advice of the department too. The minister would not do that without a fair degree of rigorous, fearless and frank advice from the public service in relation to it. The department would provide advice to the minister as to what is appropriate and necessary to ensure that the information required is relevant to the competitive

process, not extensive or unwarranted or to the detriment of the commercial entity providing the information.

Hon. DAVID KOCH (Western) — Prior to the next question I will just demonstrate that our concerns are not allayed as to what is and who defines reasonableness, and that putting this legislation into both houses before any of that information is released is what is driving the amendments. My last question to the minister is: what is the industry saying? I make particular reference to the possibility of international bids where this process is not in place, and will that inhibit likely bids from international sources in relation to making applications for these licences?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I am advised that the information is only relevant to the operation of the licence; you would not expect it to be information which is of commercial significance beyond the licence or information of an operational nature. It is really in relation to the licence itself.

Committee divided on amendment:

Ayes, 17

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

Noes, 19

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

Amendment negatived.

Clause agreed to; clauses 12 to 15 agreed to.

Reported to house without amendment.

Report adopted.

Third reading

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the bill be now read a third time.

I wish to thank members of the house for their contributions.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

BUSINESS OF THE HOUSE

Orders of the day

Ordered that consideration of order of the day, government business, no. 7, be postponed until next day.

Hon. M. R. THOMSON (Minister for Consumer Affairs) — By leave, I move:

That the order of the Council appointing the next day of meeting for the resumption of the debate on the motion to take note of the budget papers 2005–06 be read and rescinded and that the resumption of the debate on the budget papers 2005–06 be made an order of the day for later this day.

Motion agreed to.

BUDGET PAPERS 2005–06

Debate resumed from 25 May; motion of Mr LENDERS (Minister for Finance):

That the Council take note of the budget papers 2005–06.

Ms ROMANES (Melbourne) — It gives me great pleasure to rise and speak on the budget papers before the house. Honourable members are well aware that the 2005–06 budget continues to deliver greater opportunity and prosperity across the state, making Victoria the best place in Australia to raise a family. The budget for 2005–06 provides a strong operating surplus of \$365 million in the coming financial year whilst at the same time delivering important social and economic infrastructure in areas that matter most to Victorians. There are significant levels of spending on health and education, so all Victorians, no matter where they live, can get the very best health care and schooling. It is a budget for everyone.

In the budget there is a \$1 billion boost for health and hospitals; there is a further \$868 million for a world-class education system; and it includes a very important initiative that was announced by the Minister for Victorian Communities in the weeks preceding the budget — the social policy statement with its objectives of providing a fairer Victoria. This is aimed at addressing disadvantage in Victoria and is the first phase of a strategy to address needs in a concerted way across many areas and levels of need. That strategy is backed up by \$788 million of resourcing over the next four years which is targeted to tackle some very difficult problem areas and to thereby increase participation and to provide jobs and access to activities in Victoria which have previously been denied to many disadvantaged people and many of the most vulnerable in our community.

In all the years that the Bracks government has been the government of this state it has delivered healthy surpluses. We have seen in this place each year and out in the community lots of suggestions about how those surpluses could or should be spent. In fact everyone usually wants to spend the surplus 10 times over. In a sense it raises a very curious idea — in the minds of people in the broader community and, I am sure, even in the minds of people who should know better — that when a government delivers a surplus, the Treasurer should lock it up and put it away for a rainy day. In fact the Treasurer, John Brumby, has been progressively spending the surpluses delivered by the Bracks government over the last five years and putting that money to work. Those surpluses have been invested in infrastructure that is needed to create jobs and a strong economy and for a vast array of services that are delivered by the state government in every sector of our society.

The Bracks government inherited about \$1 billion from the Kennett government which it has invested wisely in infrastructure such as hospitals, schools, roads and railways over the past five years through the Growing Victoria fund.

But the investment in infrastructure has gone well beyond that. Whereas the Kennett government was spending about \$1 billion per annum before the change of government in 1999, the Bracks government immediately lifted that to \$2 billion per annum and has increased investment in infrastructure annually ever since.

In the 2005–06 budget there will be an investment of infrastructure at the level of about \$2.5 billion per annum. The 2005–06 budget outlines a massive \$10 billion for major infrastructure projects over the

next four years, including \$2.3 billion of new spending. The budget includes a list of the key infrastructure projects that are initiatives in this budget. They include \$473 million for health and community services infrastructure including a start on the redevelopment of the Royal Children's Hospital and \$61 million for aged care initiatives. They include \$323 million for education infrastructure including new and modernised schools throughout Victoria.

There is also \$300 million in the budget for the redevelopment of the Melbourne Markets and \$660 million in capital funding for the metropolitan transport plan which includes public transport upgrades and a significant upgrade of investment in country roads and rail. There is \$115 million for justice infrastructure including a statewide police stations program and an upgrade of the Dame Phyllis Frost women's prison that will continue the extensive investment in corrections facilities and police stations that has been going on for the last five years. There is also investment in environmental assets to the level of \$147 million extra in this budget, including the next instalment of funding from the Wimmera-Mallee pipeline and \$66 million to upgrade amenities in Victoria's parks.

Another important area that has not been overlooked is \$65 million for arts infrastructure including a further \$27.2 million for the Melbourne recital centre and Melbourne Theatre Company complex and a new program for better maintenance of arts facilities — something the Melbourne arts centre will be very pleased to see.

Of course we do not forget the sporting side of activities in the state with the \$11 million for the redevelopment of Melbourne Olympic Park including a new rectangular stadium to provide a home in Melbourne for rugby, soccer and other sports.

I recall that in 2000 the Bracks government held an economic summit in this Parliament. One of the key business leaders stood up in one of the sessions and said that a key priority for this state needed to be investment in infrastructure, particularly transport infrastructure, especially railroads, ports and other key physical infrastructure to support industry and business. That is exactly what the Bracks government has done. We have listened; we have acted and we have been steadily and substantially investing year after year in infrastructure in this state.

Contrast that with the federal government. Mr Howard is not listening to the business community. He is not listening to local or state governments about the need

for increased investment in infrastructure. In fact Mr Howard has just delivered a budget that has ignored the cry across the land for substantial increases in infrastructure spending — not spending for its own sake but spending to drive and support ongoing growth in the economy and in the community.

What has he done? He has given tax cuts to the rich and penalties to the poor and taken competition policy payments back from the states. The Howard government's meanness, narrowness and lack of leadership in these critical areas is breathtaking. By contrast I am proud of this government's excellent record in this area and the excellent budget that has been delivered by the Treasurer.

One side of the budget is the capital spending and investment in our assets and physical infrastructure. The other side as I mentioned earlier is investment in social infrastructure. The Deputy Premier has driven an important initiative to consult widely in the community with various stakeholders and members of the community to try better to understand the areas where there is great need and where there are gaps, where people are not getting the sort of assistance they need to participate fully in the things that happen in Victoria.

There is the need to give greater support to develop skills, to encourage and assist the most disadvantaged people in the community to get employment to lift their skills and to access services. There is a whole range of areas in the social policy statement *A Fairer Victoria* that attempt to do this. One of the most important of those, of course, is in the area of mental health. Another \$180 million is being invested over the next four years to improve the range of services, capital assets and activities to assist those who are in need and who should be supported because they have a mental health problem.

Another area is the funding of kindergartens and the support for low-income families to make sure that all children have the opportunity to get the best start in life by attending kindergarten. There is a lot of research around that demonstrates that a very important element of that opportunity is to make sure all children are supported and assisted to attend kindergarten. The extra subsidy for kindergarten places in the budget is an important initiative to keep on lifting the participation rate of children attending kindergartens and getting access to that good start in life.

A range of other initiatives are extremely important. We talked yesterday during opposition business about the need for extra investment in services for people with a disability. The budget provides a further

\$120 million for a whole raft of initiatives relating to support for people with disabilities and their families such as individual care packages, services and a more varied range of residential options for those who need to stay in 24-hour care because of their disability. That is another area where there has been a major boost for people with high needs.

I could go on with a whole range of further initiatives, because there are hundreds of pages in the budget — the Bracks government is doing hundreds of things! — but I conclude with support for the budget papers.

Debate adjourned for Hon. E. G. STONEY (Central Highlands) on motion of Hon. Andrea Coote.

Debate adjourned until next day.

Business interrupted pursuant to sessional orders.

APPROPRIATION (2005/2006) BILL

Introduction and first reading

Received from Assembly.

Read first time for Mr LENDERS (Minister for Finance) on motion of Hon. M. R. Thomson.

APPROPRIATION (PARLIAMENT 2005/2006) BILL

Introduction and first reading

Received from Assembly.

Read first time for Mr LENDERS (Minister for Finance) on motion of Hon. M. R. Thomson.

BUSINESS OF THE HOUSE

Adjournment

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I move:

That the Council, at its rising, adjourn until Tuesday, 14 June.

Motion agreed to.

ADJOURNMENT

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I move:

That the house do now adjourn.

Gas: Silvan and Monbulk supply

Hon. A. P. OLEXANDER (Silvan) — Tonight I seek the assistance of the Minister for Energy Industries and Resources. The issue I raise is one I have raised with him previously in question time. It is related to the supply of natural gas to significant sections of the townships of Silvan and Monbulk. Many business owners in the townships are experiencing enormous difficulties and cost blow-outs because of having to pay for alternative sources of power because they do not have access to natural gas at the moment. They have recently been dealt a blow by learning that there is a funding shortfall regarding the connection of their businesses and residences to the natural gas network by Multinet Gas, the company responsible for extending those natural gas services. It has declared it will not consent to bridging the gap or funding any shortfall in the connection costs for Silvan and Monbulk. It has said publicly that it believes it is either the consumer's responsibility to pay for that connection or the responsibility of the government.

The local member, the member for Monbulk in the other place, Mr James Merlino, who has been negotiating with local businesses, Multinet and the government, said this week for the first time that he now believes the government may have to contribute funds to cover the cost of the shortfall so that these businesses can be connected to natural gas. He also speculated as to how much the costs would be and proposed, rather oddly, a formula whereby the government, the consumer and even local government may have to come to the rescue and fund the shortfall for the natural gas connections. This is obviously a very large problem for businesses in Monbulk and Silvan that is affecting their viability, and many predict they will go out of business if they have to fund such large amounts of money for this connection.

On behalf of the consumers in Silvan and Monbulk and in the interests of his gas rollout policy, will the Minister for Energy Industries and Resources consent to the funding of the connections shortfall that Multinet will not fund?

Youth: regional jobs program

Hon. R. G. MITCHELL (Central Highlands) — I raise a matter for the attention of the Minister for Employment and Youth Affairs in the other place. I request that the minister take action to ensure that young people within Central Highlands Province are

provided with the support they need to access and retain sustainable jobs.

I commend the Bracks government for allocating \$3.7 million to create more than 430 jobs for young people in regional Victoria. The regional jobs program is part of the \$155 million Jobs for Victoria program. This government is providing our young people with every opportunity to get the right work, training and qualifications that they need to enable them to find and maintain employment, to live and to make their homes in country Victoria. In country Victoria there is enormous demand for people to be trained in trades like building, engineering, horticultural and mechanics.

Hon. D. McL. Davis — Have you been to country Victoria?

Hon. R. G. MITCHELL — Are you always this stupid or are you making a special effort?

The PRESIDENT — Order! Mr Mitchell will ignore interjections.

Hon. R. G. MITCHELL — My region is experiencing low unemployment rates compared to other areas in country Victoria. This is creating shortages in industries, including allied health for dentists and pharmacists, bricklayers, engineers, nurses, plumbers and sheet metal workers. We have plenty of great providers across the north-east. We have the Centre in Wangaratta, Benalla and Mansfield; Mission Australia that operates out of Shepparton, Kyabram and Numurkah; and Apprentice Trainees Employment Ltd in the Wodonga, Indigo and Towong areas.

In my region the youth unemployment rate is 7 per cent. While it is below the country youth unemployment rate, we need to ensure that we never lose focus on supporting young people into sustainable jobs. The regional jobs package will create 60 apprenticeships and traineeships for young people in my region.

Again I commend the Bracks government for providing funding as an incentive to local employers and local government to develop new apprenticeships and traineeships for young people. The flow on is that it is also of benefit to communities in assisting them to meet their future skills and employment needs.

The regional jobs package is being implemented with the help of regionally based, peak industry committees. These will be made up of local employer association, local government and union representatives. These committees will be responsible for identifying local skills gaps. The regional jobs package provides a great

opportunity to young people, local government and employers and their communities by offering young people the chance to gain work experience and accredited training. I request that the minister ensures that young people in the Central Highlands region gain reasonable access to the opportunities that will arise from the regional jobs program.

Better Pools program: future

Hon. B. N. ATKINSON (Koonung) — I raise a matter with the Minister for Sport and Recreation concerning the Better Pools program. The minister would be aware of concern in a number of communities, including Sunshine, Footscray, Cranbourne and Ballarat, about the withdrawal of pools from service in those municipalities where the local councils suggest they are replacing those pools with large aquatic centres and argue there is some better facility available to the community.

However, what is coming across in these communities — and I am sure the minister would be aware of it from representations made to him — is that many suburban communities around Melbourne and other smaller communities have a high regard for their existing outdoor pool facilities. They appreciate the fact that those pools are often located in areas that are accessible, and often more accessible than the aquatic centres that are being built under the Better Pools program. They appreciate that those pools offer a form of recreation that is of advantage to their community, something they wish to preserve. For instance in Ballarat, where there is currently debate on this issue, the council is considering a new 50-metre pool. The community is not adverse to having that, but it also wants to see the maintenance of the existing five outdoor pools in Ballarat.

Most of the facilities I have described in this contribution — at Cranbourne, Sunshine, Footscray and Ballarat — are ageing facilities and there are maintenance issues with them, and I ask the minister if he would be prepared to look at the Better Pools program to see whether there are opportunities under it to change the funding criteria to support local government in trying to maintain some of the older outdoor pools that already exist in these communities. I daresay that would be a cheaper solution for many communities than the large Taj Mahal aquatic centres that are being built everywhere. While they are regarded highly in some communities, these facilities are certainly not seen as the facilities that everybody in those communities wants. I refer to issues brought before the Parliament previously, particularly on behalf

of the communities of Sunshine, Footscray and Cranbourne.

The question I pose to the minister is: is he prepared to have a look at changes to the Better Pools program to try to support the smaller and older swimming facilities in communities by assisting councils to bring them up to standard and reduce maintenance costs in the long term?

Ambulance services: Wilsons Promontory

Hon. D. McL. DAVIS (East Yarra) — My matter today is for the attention of the Minister for Health in the other place. It concerns a matter I have raised in the adjournment debate previously and to which I received a response from the minister dated 24 May 2005. I thank the minister for this response to my adjournment matter of 21 April dealing with matters surrounding ambulance provision at Wilsons Promontory during the recent wildfire outbreak caused by the Department of Sustainability and Environment's burn that went wrong.

I want to make this clear: at the same time a Superbikes event was taking place at Phillip Island and a number of ambulances were, quite appropriately, stationed there. Obviously there is a need to have ambulances in place to be able to move people at the shortest notice. However, I am very concerned about the minister's response to me on this issue. It raises a series of very serious questions about the safety of people in the park — the campers, the rangers, the firefighters and the police. I have spoken to people who were near the fires — the firefighters — who have also related to others cases of flames engulfing and surrounding their vehicles. Clearly there was great danger to the campers and tourists on the beach. I am also very clear that the sole ambulance in the district, based at Foster, had a single driver.

The minister says in this letter:

While no paramedic support was required —

I disagree with her on that —

RAV —

Rural Ambulance Victoria —

determined that a St John's Ambulance first aid team should be activated to be ready to provide first aid to firefighters, tourists and other individuals in the national park if necessary. St John's was thus activated at 9.15 a.m. on 2 April ...

While I have the highest regard for St John's Ambulance personnel, their professionalism and

training, they are not paramedics with an ambulance in attendance that is able to move people — —

Hon. R. G. Mitchell interjected.

Hon. D. McL. DAVIS — I have to say that regular paramedics in ambulances would normally have been moved to that site when there was a wildfire burning. This wildfire burnt for a number of days — indeed, I believe a number of weeks — but in those initial hours when there was real risk to campers, to firefighters and to police, the state government, Rural Ambulance Victoria and the Department of Sustainability and Environment did not see fit to put the proper resources in place down on the promontory in close proximity to the fire and those people.

The minister further says in her letter:

As RAV did not need to deploy resources to Wilsons Promontory, the RAV Foster station officer paramedic remained at his normal post.

I have to say that I am very concerned about what I have read in this letter. I do not believe the government had a proper plan in place to deal with the two locations. It should have; and lives must — —

The PRESIDENT — Order! The member's time has expired. He did not pose a question to the minister so his adjournment matter is ruled out of order.

Payroll tax: federal Labor policy

Hon. C. A. STRONG (Higinbotham) — The issue I raise tonight is with the Treasurer and it concerns payroll costs in Victoria. Victoria's businesses and industry are already on record over concerns about the extra cost to payroll production as a result of uncertainty over the tax rate that will apply to payroll deductions post 1 July 2005. The burden will fall on all Victorian payroll production including no doubt the government's payroll.

It goes without saying that the extra cost of payroll production is directly attributable to federal Labor's insane intention to block the tax reductions announced by the Howard-Costello budget. These reductions will give back billions of dollars to all Australian taxpayers. Tax deductions that will put money back into the pockets of Victorian workers are a good thing. These tax reforms, like the federal government's industrial relations reforms, have given Australian workers unprecedented real wage growth — 14 per cent under the Howard-Costello government compared to only 1.2 per cent under the Hawke-Keating government.

Of course those opposite think these changes will bring the end of civilisation as we know it. They do not really understand that these changes empower workers, put more money in their pockets and give them freedom to make their own choices. The records and facts show they have prospered as a result.

My issue is the administrative confusion that is being caused as a consequence of the misguided move by the federal Leader of the Opposition, Mr Beazley, to block tax reductions. It is another example of the extra costs that Labor governments put on the community as a result of playing politics. My question to the Treasurer is: can he inform us what the extra costs to Victorian government departments and agencies et cetera will be of the increased administrative burden on payroll production as a result of not having certainty of what tax rates to apply from 1 July 2005.

Dandenong West Primary School: traffic accident

Mr SOMYUREK (Eumemmerring) — I raise a matter for the attention of the Minister for Education and Training in the other place regarding the tragic accident at the Dandenong West Primary School where a motor vehicle, allegedly driven by a drink-driver, smashed into the school and in the process caused the hospitalisation of seven students including two who were very seriously injured and had to be rushed to the Royal Children's Hospital. I understand one of the students had his foot amputated. That really is sad. The two seriously injured students are Sabi Mashid, aged 6, and Medina Hubanic, aged 11.

These students were innocently playing in the schoolyard at about 2.30 p.m. last Thursday when a car careered into the school grounds and struck a brick wall which subsequently collapsed on the students. Local police described the efforts of one 12-year-old boy in particular as heroic as he attempted to rescue his friends from the rubble of the collapsed wall. This child was seriously injured himself. I take this opportunity to express my condolences to the students, teachers, parents and staff of the Dandenong West Primary School and hope they have a speedy recovery. I ask the minister to ensure that the required counselling services are provided for the students, teachers, parents and staff of the school.

Local government: funding

Hon. J. A. VOGELS (Western) — I raise an issue for the Minister for Local Government, Ms Broad. The Bracks government spends much time selling its strategy of community strengthening, which I believe is

now called community building. As I travel to councils I continually hear the cry, 'Rather than produce glossy strategies and conduct a plethora of community meetings, the Bracks government would be better off directing the resources to councils and letting them get on with delivering the service or outcomes'. Councils already know what local priorities exist for community building in their municipalities. It is interesting to look at the output summary on page 237 of budget paper 3, which states:

Supporting local government and strengthening communities ...

In this budget the allocation is \$84.4 million, which is actually an \$8 million decrease from last year. In the same output summary it says:

Advocating for people in communities ...

This has also gone to approximately \$84 million. The Department for Victorian Communities is spending the same amount of money advocating on behalf of communities in local communities as it is on local government. To me that is absolutely ridiculous. The action I seek from the minister is to investigate whether the Department for Victorian Communities would be better off directing the resources into local communities rather than into glossy magazines and spin. The best advocate for people in local communities is surely local government.

The PRESIDENT — Order! Before I call the Minister for Consumer Affairs to respond to the matters raised in the adjournment debate tonight, I remind the minister that the matter raised by the Honourable David Davis has been ruled out of order. I also rule out of order the matter raised by the Honourable Chris Strong because it did not ask for direct action. It was seeking information, and that can be done through other forms of the house.

Responses

Hon. M. R. THOMSON (Minister for Consumer Affairs) — The Honourable Andrew Olexander raised a matter for the Minister for Energy Industries and Resources concerning natural gas supply connections.

The Honourable Robert Mitchell raised a matter for the Minister for Education Services in another place, the Honourable Jacinta Allan, concerning access to sustainable jobs for young people in the Central Highlands.

The Honourable Bruce Atkinson raised a matter for the Minister for Sport and Recreation concerning the Better

Pools program and whether or not there was an opportunity for support for older outdoor pools.

Mr Somyurek raised a matter for the Minister for Education and Training in the other place concerning the recent accident at Dandenong West Primary School and asked whether counselling could be provided to the students after that trauma.

The Honourable John Vogels raised a matter for the Minister for Local Government, Ms Broad, concerning community building programs.

Motion agreed to.

House adjourned 4.57 p.m. until Tuesday, 14 June

QUESTIONS ON NOTICE

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Tuesday, 24 May 2005

Treasurer: property, plant and equipment — value

3309. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Finance (for the Treasurer): What was the value of property, plant and equipment, respectively, purchased and sold in each year from 1999-2000 to the expected investment in 2004-05 and included in the general government sector net infrastructure investment budget figure.

ANSWER:

I am informed that:

The valuation of property, plant and equipment sold in each year from 1999 to 2005 remains the responsibility of individual departments.

Treasurer: projects

3310. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Finance (for the Treasurer): What are the details of the total value for projects by portfolio valued at \$5 million or less for each year from 1999-2000 to the expected investment in 2004-05.

ANSWER:

I am informed that:

I refer the Honourable Member to the annual Budget Information Paper Number 1, as published by the Department of Treasury and Finance.

Multicultural affairs: Victorian Multicultural Commission — entertainment expenses

4348. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Aged Care (for the Minister for Multicultural Affairs): In relation to the Victorian Multicultural Commission'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/as follows:

The Victorian Multicultural Commission did not incur any entertainment expenses in 2003-04.

Catering costs incurred by the VMC related to the Commission's consultations, forums and meetings.

Aged care: Haystac Public Affairs Pty Ltd — payments

4355. THE HON. GRAEME STONEY — To ask the Minister for Aged Care:

- (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:

I am informed that:

No payments have been made by my Department and/or Office to the firm Haystac Public Affairs Pty Ltd.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.

Health: Haystac Public Affairs Pty Ltd — payments

4358. THE HON. GRAEME STONEY — To ask the Minister for Aged Care (for the Minister for Health):

- (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:

I am informed that:

No payments have been made by my Department and/or Office to the firm Haystac Public Affairs Pty Ltd.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.

Education and training: Haystac Public Affairs Pty Ltd — payments

4368. THE HON. GRAEME STONEY — To ask the Minister for Energy Industries (for the Minister for Education and Training):

- (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:

I am informed as follows:

No payments have been made to Haystac Public Affairs Pty Ltd by my department or private office under my administration since 26 August 2003.

To provide details of payments made by agencies and statutory bodies under my administration would require an unreasonable diversion of time and resources.

Housing: Haystac Public Affairs Pty Ltd — payments

4375. THE HON. GRAEME STONEY — To ask the Minister for Housing:

- (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:

I am informed that:

No payments have been made by my Department and/or Office to the firm Haystac Public Affairs Pty Ltd.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.

Education and training: Shannon's Way Pty Ltd — payments

4409. THE HON. GRAEME STONEY — To ask the Minister for Energy Industries (for the Minister for Education and Training):

- (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:

I am informed as follows:

No payments have been made to Shannon's Way Pty Ltd by my department or private office under my administration since 28 October 2003.

To provide details of payments made by agencies and statutory bodies under my administration would require an unreasonable diversion of time and resources.

Aged care: Social Shift Pty Ltd — payments

4437. THE HON. GRAEME STONEY — To ask the Minister for Aged Care:

- (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:

I am informed that:

No payments have been made by my Department and/or Office to the firm Social Shift Pty Ltd.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.

Health: Social Shift Pty Ltd — payments

4440. THE HON. GRAEME STONEY — To ask the Minister for Aged Care (for the Minister for Health):

- (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:

I am informed that:

No payments have been made by my Department and/or Office to the firm Social Shift Pty Ltd.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.

Education and training: Social Shift Pty Ltd — payments

4449. THE HON. GRAEME STONEY — To ask the Minister for Energy Industries (for the Minister for Education and Training):

- (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:

I am informed as follows:

No payments have been made to Social Shift Pty Ltd by my department or private office under my administration since 26 August 2003.

To provide details of payments made by agencies and statutory bodies under my administration would require an unreasonable diversion of time and resources.

Multicultural affairs: Victorian Multicultural Commission — advertising and credit card expenditure

4721. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Aged Care (for the Minister for Multicultural Affairs): In relation to the Victorian Multicultural Commission:

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

ANSWER:

I am informed that/as follows:

- (1) The total expenditure for advertising incurred by the Victorian Multicultural Commission in the 2003/2004 financial period was \$21,559.11.
- (2) There is no allocation of credit cards to the Victorian Multicultural Commission.

QUESTIONS ON NOTICE

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Wednesday, 25 May 2005

Treasurer: general government sector net infrastructure investment

3308. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Finance (for the Treasurer): What are the details of the general government sector net infrastructure investment, by portfolio and project (valued at \$5 million and above), for each year from 1999-00 to the expected investment in 2004-05.

ANSWER:

I am informed that:

I refer the Honourable Member to the annual Budget Information Paper Number 1, as published by the Department of Treasury and Finance.

Community services: Haystac Public Affairs Pty Ltd — payments

4356. THE HON. GRAEME STONEY — To ask the Minister for Aged Care (for the Minister for Community Services):

- (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:

I am informed that:

No payment has been made by my Department and/or Office to the firm Haystac Public Affairs Pty Ltd.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.

Employment and youth affairs: Haystac Public Affairs Pty Ltd — payments

4357. THE HON. GRAEME STONEY — To ask the Minister for Aged Care (for the Minister for Employment and Youth Affairs):

- (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:

I am informed that:

The response is nil.

Consumer affairs: Haystac Public Affairs Pty Ltd — payments

4363. THE HON. GRAEME STONEY — To ask the Minister for Consumer Affairs:

- (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:

I am advised that:

No payments were made to Haystac Public Affairs Pty Ltd by my Department or private office or agency or statutory body under my administration since 26 August 2003

Employment and youth affairs: Shannon's Way Pty Ltd — payments

4398. THE HON. GRAEME STONEY — To ask the Minister for Aged Care (for the Minister for Employment and Youth Affairs):

- (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:

I am informed that:

The response is nil.

Consumer affairs: Shannon's Way Pty Ltd — payments

4404. THE HON. GRAEME STONEY — To ask the Minister for Consumer Affairs:

- (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:

I am advised that:

No payments were made to Shannon's Way Pty Ltd by my Department or private office or agency or statutory body under my administration since 28 October 2003

Community services: Social Shift Pty Ltd — payments

4438. THE HON. GRAEME STONEY — To ask the Minister for Aged Care (for the Minister for Community Services):

- (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:

I am informed that:

No payment has been made by my Department and/or Office to the firm Social Shift Pty Ltd.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.

Employment and youth affairs: Social Shift Pty Ltd — payments

4439. THE HON. GRAEME STONEY — To ask the Minister for Aged Care (for the Minister for Employment and Youth Affairs):

- (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:

I am informed that:

The response is nil.

Consumer affairs: Social Shift Pty Ltd — payments

4476. THE HON. GRAEME STONEY — To ask the Minister for Consumer Affairs:

- (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:

I am advised that:

No payments were made to Social Shift Pty Ltd by my Department or private office or agency or statutory body under my administration since 26 August 2003.

Sport and recreation: Melbourne and Olympic Parks Trust — advertising and credit card expenditure

4728. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation: In relation to the Melbourne and Olympic Parks Trust:

- (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 Melbourne and Olympic Parks Trust incurred \$137,808 in advertising expenses between 1 July 2003 and 30 June 2004.

No credit card expenses were incurred by the Melbourne and Olympic Parks Trust for 2003-04.

Sport and recreation: Melbourne Cricket Ground Trust — advertising and credit card expenditure

4729. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation: In relation to the Melbourne Cricket Ground Trust:

- (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:

No such expenses were incurred by the Melbourne Cricket Ground Trust in 2003-04.

Sport and recreation: State Sports Centre Trust — advertising and credit card expenditure

4730. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation: In relation to the State Sports Centre Trust:

- (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 State Sport Centres Trust incurred \$85,500 in advertising expenses between 1 July 2003 and 30 June 2004.

No credit card expenses were incurred by the State Sport Centres Trust in 2003-04.

Sport and recreation: State Recreation Camps Committee of Management — advertising and credit card expenditure

4731. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation: In relation to the State Recreation Camps Committee of Management:

- (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:

No such expenses were incurred by the Sport and Recreation Camps Committee of Management Incorporated in 2003-04.

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Thursday, 26 May 2005

Commonwealth Games: Haystac Public Affairs Pty Ltd — payments

4362. THE HON. GRAEME STONEY — To ask the Minister for Commonwealth Games:

- (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:

I am informed that:

No payments have been made to Haystac Public Affairs Pty Ltd, except for:

- (1) Melbourne 2006 Commonwealth Games Corporation made a payment of \$8,250 (inc. GST).
- (2) The payment was made on 26 April 2004.
- (3) The project for which the payment was made was preparation of the "Two Years To Go" photo shoot and the Games Mascot media launch.

Information and communication technology: Haystac Public Affairs Pty Ltd — payments

4376. THE HON. GRAEME STONEY — To ask the Minister for Information and Communication Technology:

- (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) The Department of Infrastructure made 2 payments to this company, for \$8,062.50 each plus GST. No other payments have been made by my private office, agency or statutory authority under my administration as Minister for Information and Communication Technology.
- (2) 3 April 2004 and 12 May 2004

- (3) Payments were in relation to “Victoria Online”, the Victorian Government internet access point for the public.

Aged care: Shannon’s Way Pty Ltd — payments

4396. THE HON. GRAEME STONEY — To ask the Minister for Aged Care:

- (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:

I am informed that:

The Department of Human Services has made five (5) payments to the firm Shannon’s Way Pty Ltd since 28 October 2003. Details are as follows:

Date of payment	Details of project	\$ value of payment
15 th December 2003	Kew Residential Services Stakeholder Communications Plan	\$14, 701.50
3 rd February 2004	Advertising – Premier’s Drug Prevention Council’s Directline 1800 000 236 promotion	\$99,676.50
5 th October 2004	Production of material for 2004 Melbourne Fringe Festival	\$11,344.30
11 th October 2004	Problem Gambling Community Strategy Phase 4	\$69,154.80
26 th November 2004	Problem Gambling Community Strategy Phase 4	\$47,344.44

No payments were made by my private office to the firm Shannon’s Way Pty Ltd since 28 October 2003.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department’s resources.

Community services: Shannon’s Way Pty Ltd — payments

4397. THE HON. GRAEME STONEY — To ask the Minister for Aged Care (for the Minister for Community Services):

- (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:

I am informed that:

The Department of Human Services has made five (5) payments to the firm Shannon's Way Pty Ltd since 28 October 2003. Details are as follows:

Date of payment	Details of project	\$ value of payment
15 th December 2003	Kew Residential Services Stakeholder Communications Plan	\$14,701.50
3 rd February 2004	Advertising – Premier's Drug Prevention Council's Directline 1800 000 236 promotion	\$99,676.50
5 th October 2004	Production of material for 2004 Melbourne Fringe Festival	\$11,344.30
11 th October 2004	Problem Gambling Community Strategy Phase 4	\$69,154.80
26 th November 2004	Problem Gambling Community Strategy Phase 4	\$47,344.44

No payments were made by my private office to the firm Shannon's Way Pty Ltd since 28 October 2003.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.

Health: Shannon's Way Pty Ltd — payments

4399. THE HON. GRAEME STONEY — To ask the Minister for Aged Care (for the Minister for Health):

- (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:

I am informed that:

The Department of Human Services has made five (5) payments to the firm Shannon's Way Pty Ltd since 28 October 2003. Details are as follows:

Date of payment	Details of project	\$ value of payment
15 th December 2003	Kew Residential Services Stakeholder Communications Plan	\$14,701.50
3 rd February 2004	Advertising – Premier's Drug Prevention Council's Directline 1800 000 236 promotion	\$99,676.50
5 th October 2004	Production of material for 2004 Melbourne Fringe Festival	\$11,344.30

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11 th October 2004	Problem Gambling Community Strategy Phase 4	\$69,154.80
26 th November 2004	Problem Gambling Community Strategy Phase 4	\$47,344.44

No payments were made by my private office to the firm Shannon's Way Pty Ltd since 28 October 2003.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.

Housing: Shannon's Way Pty Ltd — payments

4416. THE HON. GRAEME STONEY — To ask the Minister for Housing:

- (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:

I am informed that:

The Department of Human Services has made five (5) payments to the firm Shannon's Way Pty Ltd since 28 October 2003. Details are as follows:

Date of payment	Details of project	\$ value of payment
15 th December 2003	Kew Residential Services Stakeholder Communications Plan	\$14, 701.50
3 rd February 2004	Advertising – Premier's Drug Prevention Council's Directline 1800 000 236 promotion	\$99,676.50
5 th October 2004	Production of material for 2004 Melbourne Fringe Festival	\$11,344.30
11 th October 2004	Problem Gambling Community Strategy Phase 4	\$69,154.80
26 th November 2004	Problem Gambling Community Strategy Phase 4	\$47,344.44

No payments were made by my private office to the firm Shannon's Way Pty Ltd since 28 October 2003.

To provide details of payments made by any agency or statutory body under my administration would be an unreasonable diversion of my department's resources.