

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

Book 1

16 August 2001

Ballarat

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By authority of the Victorian Government Printer

The Governor

JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

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Deputy Leader of the Government:

The Hon. G. W. JENNINGS

Leader of the Opposition:

The Hon. M. A. BIRRELL

Deputy Leader of the Opposition:

The Hon. BILL FORWOOD

Leader of the National Party:

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The Hon. P. R. HALL from 20 March 2001

Deputy Leader of the National Party:

The Hon. P. R. HALL to 20 March 2001

The Hon. E. J. POWELL from 20 March 2001

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BALLARAT

Thursday, 16 August 2001

The **PRESIDENT** (Hon. B. A. Chamberlain) took the chair at 10.32 a. m. and read the prayer.

PROCLAMATION

The **PRESIDENT** — Order! The Clerk will read the proclamation of the Governor, varying and altering the place for holding the current sitting of Parliament.

The Clerk — The proclamation reads:

Whereas:

- A. By proclamation made on 7 October 1999 by Sir James Gobbo, AC, then the Governor of the state of Victoria, pursuant to section 8 and section 20 of the Constitution Act 1975, fixed 3 November 1999 at 11.00 a.m. as the time for the commencement and holding of the first session of the 54th Parliament of Victoria for the dispatch of business, at the Parliament houses, Melbourne.
- B. Pursuant to section 8(1) of the Constitution Act 1975 the Governor is empowered to vary and alter the places fixed within Victoria and the times fixed for holding every session of the Legislative Council and of the Legislative Assembly.

I, John Michael Landy, AC, MBE, Governor of the state of Victoria, acting under section 8 and section 20 of the Constitution Act 1975 and all other powers vested in me:

- 1. hereby vary and alter the place for holding the first session of the Legislative Council which would have otherwise have been held in the houses of Parliament, Melbourne on Thursday, 16 August 2001 to the Ballarat Town Hall at 219–231 Sturt Street in the city of Ballarat and thereafter, when the Legislative Council has completed its business on that day, to the houses of Parliament, Melbourne, on the next day of sitting appointed by the Legislative Council;
- 2. hereby vary and alter the place for holding the first session of the Legislative Assembly which would have otherwise been held in the houses of Parliament, Melbourne, on Thursday, 16 August 2001 to the Bendigo Town Hall at 189 Hargreaves Street in the city of Bendigo and thereafter, when the Legislative Assembly has completed its business on that day, to the houses of Parliament, Melbourne, on the next day of sitting appointed by the Legislative Assembly.

Given under my hand the seal of the state of Victoria at Melbourne, this third day of August 2001.

John Michael Landy,

Governor

By His Excellency's command

ROYAL ASSENT

Message read advising royal assent to:

27 June

- Agricultural and Veterinary Chemicals (Victoria) (Amendment) Act**
- Appropriation (2001/2002) Act**
- Appropriation (Parliament 2001/2002) Act**
- Constitution (Metropolitan Ambulance Service Royal Commission Report) Act**
- Co-operative Schemes (Administrative Actions) Act**
- Corporations (Administrative Actions) Act**
- Corporations (Ancillary Provisions) Act**
- Corporations (Consequential Amendments) Act**
- Corrections (Custody) Act**
- Duties (Amendment) Act**
- Racial and Religious Tolerance Act**
- State Taxation Acts (Taxation Reform Implementation) Act**
- Transfer of Land (Amendment) Act**
- Victorian Managed Insurance Authority (Amendment) Act**

BUSINESS OF THE HOUSE

Recording and broadcasting of proceedings

The **PRESIDENT** — Order! I advise the house that I have given permission to representatives of accredited media organisations, N. L. Harvey and Sons Photography and officers of the Legislative Council to record and broadcast today's historic proceedings of the Legislative Council.

ADDRESS BY MAYOR OF BALLARAT

Hon. M. M. GOULD (Minister for Industrial Relations) — I move:

That this house invites Cr David Vendy, mayor of the City of Ballarat, to attend on the floor of the house this day, following formal business, to address the house.

In doing so I acknowledge the historic occasion of today's meeting, and I appreciate the welcome we have received from the City of Ballarat and the efforts the Parliament has made in allowing for today's sitting to take place.

Hon. M. A. BIRRELL (East Yarra) — On behalf of the opposition I support the motion of the Leader of the Government. It is a pleasure to be back in Ballarat. It is an enormous historic opportunity for us here today. We welcome these arrangements and look forward to the mayor addressing us.

Hon. P. R. HALL (Gippsland) — On behalf of the National Party I also support this motion. The National Party is very pleased to participate in this historic occasion. It has taken nearly 150 years for the Legislative Council to sit outside the City of Melbourne. We welcome and acknowledge the fact that Ballarat was chosen for this historic event. We support and thank the City of Ballarat for its hospitality today and look forward to meeting the good constituents of Ballarat throughout the course of the day.

Motion agreed to.

PETITION

Freeza program

Hon. I. J. COVER (Geelong) presented a petition from certain citizens of Victoria requesting that funding to the Office for Youth Freeza program be continued at previous levels to allow the program to continue (219 signatures).

Laid on table.

COUNCIL OF AUSTRALIAN GOVERNMENTS

Communiqué

Hon. M. M. GOULD (Minister for Industrial Relations) — By leave, I move:

That there be laid before this house a copy of the communiqué issued by the Council of Australian Governments meeting held on 8 June 2001.

Motion agreed to.

Laid on table.

ECONOMIC DEVELOPMENT COMMITTEE

Impact of structural changes in Victorian economy

Hon. N. B. LUCAS (Eumemmerring) presented report.

Laid on table.

Ordered to be printed.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 8

Hon. M. T. LUCKINS (Waverley) presented *Alert Digest No. 8 of 2001*, together with appendices.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Crown Land (Reserves) Act 1978 — Minister's order of 9 July 2001 giving approval to granting of a lease at Sandringham.

International Fibre Centre Ltd — Minister for Post Compulsory Education, Training and Employment's report of 21 June 2001 of receipt of the 2000 report.

Interpretation of Legislation Act 1984 — Notice pursuant to section 32(4)(iii) in relation to the Plumbing (Amendment) Regulations 2001.

Melbourne City Link Act 1995 — Statement of Variation No. 2/2001, 28 June 2001, Detailed Tolling Strategy, pursuant to section 15B of the Act.

Mt Baw Baw Alpine Resort Management Board — Report, 1999–2000.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Ballarat Planning Scheme — Amendments C31, C34 Part 1 and C35 Part 1.

Bass Coast Planning Scheme — Amendment C10.

Bendigo — Greater Bendigo Planning Scheme — Amendment C15.

Campaspe Planning Scheme — Amendments C15 and C16.

Cardinia Planning Scheme — Amendment C17.

Casey Planning Scheme — Amendment C34.

Dandenong — Greater Dandenong Planning Scheme — Amendment C22.

Darebin Planning Scheme — Amendment C1.

Geelong — Greater Geelong Planning Scheme — Amendments C13, C20 and C22.

Glen Eira Planning Scheme — Amendment C18.

Glenelg Planning Scheme — Amendment C3.

Golden Plains Planning Scheme — Amendment C7.

- Hepburn Planning Scheme — Amendments C5 and C7.
- Hobsons Bay Planning Scheme — Amendments C11 Part 1 and C15.
- Knox Planning Scheme — Amendments C12 and C24.
- La Trobe Planning Scheme — Amendment C2.
- Loddon Planning Scheme — Amendment C2.
- Macedon Ranges Planning Scheme — Amendment C7.
- Manningham Planning Scheme — Amendment C17.
- Maribyrnong Planning Scheme — Amendments C7 and C15.
- Maroondah Planning Scheme — Amendment C23.
- Melbourne Planning Scheme — Amendments C11, C24 and C42.
- Monash Planning Scheme — Amendment C5.
- Moonee Valley Planning Scheme — Amendment C22.
- Moorabool Planning Scheme — Amendments C8 and C13.
- Moreland Planning Scheme — Amendment C18.
- Mornington Peninsula Planning Scheme — Amendments C12 Part 2 and C30.
- Shepparton — Greater Shepparton Planning Scheme — Amendment C9.
- Surf Coast Planning Scheme — Amendment C4.
- Wangaratta Planning Scheme — Amendment C3 Part 2.
- Warrnambool Planning Scheme — Amendment C16.
- West Wimmera Planning Scheme — Amendment C1.
- Whitehorse Planning Scheme — Amendment C32.
- Wodonga Planning Scheme — Amendment C6.
- Yarra Ranges Planning Scheme — Amendments C9 and C24.
- Public Lotteries Act 2000 — Licence issued to the trustees of the will and estate of the late George Adams, pursuant to section 32(b) of the Act.
- Statutory Rules under the following Acts of Parliament:
- Associations Incorporation Act 1981 — No. 69.
- Building Act 1993 — No. 66.
- Corporations (Ancillary Provisions) Act 2001 — Nos. 62 and 63.
- County Court Act 1958 — Juries Act 2000 — No. 77.
- Gaming Machine Control Act 1991 — No. 60.
- Juries Act 2000 — Nos. 74 and 75.
- Magistrates' Court Act 1989 — Nos. 58, 67 and 68.
- Mineral Resources Development Act 1990 — No. 71.
- Pay-roll Tax Act 1971 — No. 64.
- Petroleum Products (Terminal Gate Pricing) Act 2000 — No. 72.
- Police Regulation Act 1958 — No. 70.
- Prevention of Cruelty to Animals Act 1986 — No. 65.
- Private Agents Act 1966 — No. 76.
- Racing Act 1958 — No. 61.
- Road Safety Act 1986 — Nos. 56 and 57.
- Supreme Court Act 1986 — Foreign Judgements Act 1962 — Juries Act 2000 — No. 73.
- Tobacco Act 1987 — No. 55.
- Zoological Parks and Gardens Act 1995 — No. 59.
- Subordinate Legislation Act 1994 —
- Ministers' exception certificates under section 8(4) in respect of Statutory Rules Nos. 58, 59, 73 and 75 to 77.
- Ministers' exemption certificates under section 9(6) in respect of Statutory Rules Nos. 57, 59, 64, 65, 69, 70 and 72.
- Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts:**
- Business Registration Acts (Amendment) Act 2000 — Sections 3 and 9 — 30 July 2001 (*Gazette No. G29, 19 July 2001*).
- Co-operative Schemes (Administrative Actions) Act 2001 — 2 August 2001 (*Gazette No. G31, 2 August 2001*).
- Corporations (Commonwealth Powers) Act 2001 — 21 June 2001 (*Gazette No. G25, 21 June 2001*).
- Electricity Industry Acts (Further Amendment) Act 2001 — Section 10 — 28 June 2001 (*Gazette No. G26, 28 June 2001*).
- Mineral Resources Development (Amendment) Act 2000 — 31 July 2001 (*Gazette No. G30, 26 July 2001*).
- Nurses (Amendment) Act 2000 — Sections 3 (other than paragraphs (a) and (c)), 22, 25, 30, 31, 34, 37 and 44 — 1 August 2001 (*Gazette No. G28, 12 July 2001*).
- Petroleum Products (Terminal Gate Pricing) Act 2000 — 1 August 2001 — (*Gazette No. G30, 26 July 2001*).
- Road Safety (Alcohol and Drugs Enforcement Measures) Act 2001 — Remaining provisions (other than section 9(1)) — 28 June 2001 (*Gazette No. G25, 21 June 2001*).
- Statute Law Amendment (Relationships) Act 2001 — (except sections 4, 5 and 7, items 1 to 3, 6, 9.1, 9.2 (b), (c) and (d), 9.4 to 9.6 and 13 of Schedules 1 to 3, item 2 of Schedule 4 and

Schedule 5) — 28 June 2001 (*Gazette No. G26, 28 June 2001*).

Transport Accident (Amendment) Act 2000 — Remaining provisions except section 23(1) — 1 August 2001 (*Gazette No. G27, 5 July 2001*).

Urban Land Corporation (Amendment) Act 2001 — 1 July 2001 (*Gazette No. G25, 21 June 2001*).

ADDRESS BY MAYOR OF BALLARAT

The PRESIDENT — Order! I welcome to the chamber the mayor of the City of Ballarat, Cr David Vendy.

Honourable Members — Hear, hear!

Cr VENDY — Thank you, Mr President, and honourable members. It is with the greatest pleasure, and not a small degree of humility, that I accept on behalf of the people of Ballarat this rare opportunity to address the members of one of the nation's most powerful and respected houses of Parliament.

The people of Ballarat feel extremely proud to have been chosen to host this history-making visit. Today more than 600 school students and several hundred more members of the public have embraced this unique opportunity to see state Parliament at work outside the confines of Parliament House, Melbourne.

It is perhaps symbolic that you have chosen to meet in this magnificent room, which came to be known as the Trench Room during the war years. Groups of women from the Ballarat community would meet here to knit socks for our Australian troops, who were thousands of miles away from home fighting for freedom and democracy in the trenches of Europe and Africa. This may have been a small gesture in the face of the enormity and brutality of war, but most importantly it was an illustration of how people contribute in a variety of ways to making a real difference to the lives of others, to their communities and to their country. It shows how the efforts of many individuals can come together to make a difference; how many small contributions can become part of a bigger picture, a greater whole, a grander vision. It is this desire to make a real difference in our own communities that is a shared goal between your level of government and mine.

Finally on a lighter note, as you begin the serious business of governing our great state I would like you to notice that your deliberations are being watched over by members of the first Legislative Assembly of the Victorian Parliament, who are depicted in the painting

at the back of the room. You will notice that some honourable members had their backs to the artist. I am told that the artist only painted the faces of those members who agreed to help meet the price of his commission. Obviously some members of the Legislative Assembly of the day had short arms and long pockets.

I thank you sincerely on behalf of the council and the Ballarat people for coming today. It is certainly an historic occasion. I thank you for the opportunity to speak, and wish you well in your historic deliberations in Ballarat.

Honourable members applauding.

DISTINGUISHED VISITORS

The PRESIDENT — Order! Before calling on general business, I welcome observers from the parliaments of Queensland and New South Wales, who are helping us make history today.

RURAL AND REGIONAL VICTORIA: GOVERNMENT POLICY

Hon. BILL FORWOOD (Templestowe) — It is a privilege to move:

That this house believes that —

- (a) a vibrant and buoyant rural and regional Victoria is an essential element of the state's growth; and
- (b) state government policies play a key role in securing success in this field.

I would like to add a few words to those of the mayor. Thank you for the opportunity to be here. It is entirely appropriate that we meet in Ballarat, one of the really significant historical but also current driving forces in our state.

As many would know, this year is the 150th anniversary of the discovery of gold, which played such an important part in Ballarat. I was privileged recently to attend a dinner in Clunes where Professor Geoffrey Blainey spoke of the importance of gold, in particular in this region. He said that night that one of the great problems for the people leaving Europe in droves to come to Victoria was the travel time; they were arriving in Geelong, and the first thing they wanted to know was, 'Has the gold run out?'. They were all relieved to hear it had not. Then as quickly as they could they headed for Ballarat, Bendigo, Clunes and the goldfields area.

The benefits of that influx of people, that dynamism that came to Victoria and Australia, are widely seen and recognised not just in this fantastic city — and you can walk around and see the heritage buildings here — but also in the benefits that came to Melbourne and to other parts of Victoria. Ballarat has played an extraordinary part in our growth as a nation, and I know it will continue to do so.

But it is not just Ballarat that this motion deals with today. This motion says:

That the house believes that:

a vibrant and buoyant rural and regional Victoria is an essential element of the state's growth.

We all believe that growth is important for us, that we must drive onwards to grow the whole state, and all of the state, but that vibrant and buoyant rural and regional Victoria is a crucial and essential element in that process. It is not done just by governments, as the mayor said; it is done by participants. It is done by people and communities, local government, state government, and federal government. In particular, ordinary people play a role in making this state what it is — in creating the vibrant democratic processes that enable us to move forward this century as we did last century.

I do not have a lot of time to speak today, but I wish to put on the record the crucial importance of the rural and regional economy to Victoria. We know that rural production contributes about 25 per cent of the gross state product of the state. We know, for example, that agriculture, food and fibre processing industries account for around 35 per cent of the state's exports. Processed food is the largest single item being exported from the port of Melbourne.

Since the beginning of the 1990s there has been an explosion in the growth in rural and regional Victoria, particularly in agribusiness products, and that has led to quite significant investment by a number of food manufacturers including, for example, Bonlac, Murray Goulburn, Mars, Uncle Toby's, and McCain here in Ballarat. We know, for example, that dairy industry output has more than doubled in Victoria since the late 1980s, and that horticultural exports, particularly grapes and wine, have grown rapidly and play a significant part in Australia's record \$1 billion worth of wine exports last year.

It is not just important for rural and regional Victoria. The point needs to be made strongly that we are all in this together. The regional economy cannot be seen in isolation from the rest of the state, particularly

Melbourne. I know there is a healthy competition between metropolitan Melbourne and parts of rural and regional Victoria, however, it should be recognised that the degree of integration is high. Regional businesses use Melbourne's roads, the port, the airport and the manufacturing base. On the other hand, people from Melbourne distribute widely into rural and regional Victoria; tourists come to Ballarat in droves.

I not only have the privilege of being the shadow minister for tourism but I am also the shadow minister for rural and regional development and for small business, and I spend a considerable time in rural and regional Victoria. It should be recognised that some parts of rural and regional Victoria are finding life more difficult than others, but there is some dynamism and some growth. However, there are danger signs around, which is why it is important that state government policies play a key role in securing success in this field.

I refer to jobs in rural and regional Victoria. Recent statistics show that of the nearly 600 000 jobs currently in rural and regional Victoria, in the five months to 31 May there has been a decline of 26 200 full-time jobs. In Victoria just over 2.3 million people work. Current statistics show that in rural and regional Victoria there are just over 400 000 full-time jobs and around 190 000 part-time jobs, but the number is unfortunately declining. One only needs to go to page 2 of the Ballarat *Courier* of today's date — Liberal Party members are trying to avoid page 1! — and the article headed 'Ararat factory closure forces 45 out of work' to see that. We should acknowledge that 45 people forced out of work in Ararat is a significant blow to the community. Another article on page 2 is headed 'Growers to meet McCain today'. We know McCain is an important part of the Ballarat community and an important facility. It is one of the largest processing plants in Victoria. There are significant problems between the potato growers and McCain. These things need to be worked on.

While I am looking at today's paper, I noticed on page 6 — —

An honourable member interjected.

Hon. BILL FORWOOD — I am happy to talk about jobs created, but at the moment I am talking about the jobs that are being lost under the policies of your government.

Honourable members interjecting.

Hon. BILL FORWOOD — I am quite happy to do it, Mr Theophanous. Come in, spinner; any time! The facts show that in the first five months of this year,

full-time jobs in rural and regional Victoria have declined by 26 200.

Honourable members interjecting.

Hon. BILL FORWOOD — I can deal with the negative approach of the government, and more properly will deal with some of the good things in Ballarat at the moment. I note on page 6 of today's Ballarat *Courier* an article headed 'Big firms vie for honours', which refers to the finalists in the Ballarat manufacturing week, which runs from 13 to 17 August — that is, the current week. I recommend that members opposite read this article. It refers to the 260 manufacturers in Ballarat, but also the 18 giants that employ nearly 6000 people. It is good that there are significant, big-driving businesses here, but it is crucial that state government policies also work to the benefit of small business.

I am quite happy to talk about some of this state government's policies and policy failures. I do not need to go much further than industrial relations, for example.

Hon. R. F. Smith — What would you know about that?

Hon. BILL FORWOOD — Well, Mr Smith, we on this side of the house are fortunate that when we look across to your side some of us can identify people who have made a lifetime's work out of industrial relations. We only need to look at you, Mr Smith.

Honourable members interjecting.

The PRESIDENT — Order! Honourable members will address their comments through the Chair.

Hon. BILL FORWOOD — Mr President, I do not have time today to detail the CV of every member of the government, but I point out by way of example that the Leader of the Government was on the Australian Council of Trade Unions executive, that Ms Darveniza ran the Health and Community Services Union and that Mr Bob Smith ran the Australian Manufacturing Workers Union.

Honourable members interjecting.

Hon. BILL FORWOOD — I am sorry; I got the 'M' wrong. It was the AWU. Opposition members know there is a bit of difficulty on that side of the house with industrial relations at the moment, but let me deal with the substance of the issue. At the moment in Victoria under the policies of this government we have trouble with nurses, we have trouble with disability

workers, we have trouble with the police and we have some trouble with other public servants. However, let us talk about current industrial relations policies in Victoria. At the moment there are 23 000 small businesses throughout Victoria, many in rural and regional areas, which are suffering because of a push by the Shop, Distributive and Allied Employees Association to rope their employees into a federal award, which will put up the employers' costs by 25 per cent. What will that do? No-one from the government will go for that!

Honourable members interjecting.

The PRESIDENT — Order! I suggest that honourable members settle down and allow the Deputy Leader of the Opposition to develop his case. There will be plenty of opportunities for honourable members from all sides of the house to respond. I suggest that the Deputy Leader of the Opposition address his remarks through the Chair.

Hon. BILL FORWOOD — Let me remind the Leader of the Government that this motion is about the key role that state government policies play in securing success in the vibrant growth of Victoria, particularly in rural and regional areas. I do not want to labour the point, but the policy of this government in bringing in a Fair Employment Bill dressed up as bill that would protect outworkers, whom we believe do need protection, was but a wolf in sheep's clothing. It was an attempt to unionise the small business work force and give access to trade unions in a way that was unacceptable to the people.

I could talk about tax policy. This government came in with a much-vaunted policy of reducing tax, and government members say they have reduced it by \$100 million. If I had the right piece of paper I could demonstrate quite comprehensively that despite the claim that tax on business will drop this year by \$100 million, what will happen, as the government's own budget papers show, is that greater revenue will be taken by payroll tax than ever before. I should also make the point that growth in Victoria in 1998–99 was 7 per cent, that in 1999–2000 it was 4.6 per cent and that this year it is expected to be 2.5 per cent. So growth is going down under the policies of this government. I make the final point that the government has budgeted this year for a slight increase in growth to 2.75 per cent, but even that is below the national average of 3.2 per cent.

Page 293 of the government's own budget paper 3 shows that investment facilitation to rural and regional Victoria will decline from \$457 million in 1999–2000

to \$300 million this year, a decline of nearly 35 per cent. Make no mistake about it, although rural and regional Victoria are vibrant, there are some warning signs around of which this government needs to take notice.

I shall finish my contribution with a few small issues about policy implementation. The motion talks about state government policies playing a key role in securing success. It is not just the policies; it is the implementation of the policies that becomes important. I put it to honourable members that Mr Hulls cannot be an effective Minister for Manufacturing Industry because he is too busy being the Attorney-General and the Minister for Racing. He does not have his eye on the ball! I shall go further. Mr Brumby cannot be an effective Minister for State and Regional Development. He is far too busy being the state Treasurer. I know he is trying hard, but it is not possible to do properly the jobs of Minister for State and Regional Development and Treasurer at the same time. I shall take another example in the crucial area of planning. It is just not possible for Mr Thwaites to be an effective Minister for Planning because he is too busy being the Minister for Health — and he is not very good at that! The opposition knows that the reason Mr Brumby, Mr Hulls and Mr Thwaites are overworked in such a way is the calibre of the rest of the government.

It is crucial that those in charge of the implementation of state and regional policies concentrate on the job. I conclude my contribution with one small local issue. *Hansard* records that on 2 May the Honourable Dianne Hadden, an honourable member for Ballarat Province, tabled a petition — and we saw a petition also tabled today — from certain citizens of Victoria requesting that the government give due consideration to the importance of extending the reticulation of the natural gas pipeline to Creswick. It contained 506 signatures. My recollection is that a week or so later Ms Hadden presented a further petition containing 238 signatures again seeking consideration by the government of the importance of extending the pipeline and reticulating natural gas to Creswick. Honourable members in this chamber know the government provided \$1.5 million from the Regional Infrastructure Development Fund to promote the connection of natural gas to Indented Head, Portarlinton and St Leonards.

Hon. E. C. Carbines interjected.

Hon. BILL FORWOOD — I agree. It was going to be \$1.5 million but the government upped it to \$1.75 million.

Hon. C. C. Broad — It was an election commitment that we delivered on.

The PRESIDENT — Order!

Hon. BILL FORWOOD — Thank you, Mr President. I really like it when they come in with, ‘an election commitment that we delivered on’.

Hon. C. C. Broad interjected.

Hon. BILL FORWOOD — Okay Minister. Through you, Mr President the minister now has the opportunity to stand up and make a commitment to the people of Creswick. She should get on her feet here. It is up to the minister. She has the opportunity. We are here waiting and this is an important issue.

Honourable members interjecting.

The PRESIDENT — Order! I ask the house to settle down. The honourable member is winding up his remarks, and I am interested to hear what he has to say.

Hon. BILL FORWOOD — It has been a privilege to speak on this motion here today. I leave a challenge with the government. The government’s policies are crucial to the vibrancy of rural and regional Victoria, and the opposition looks forward to monitoring its progress.

Hon. M. M. GOULD (Minister for Industrial Relations) — I begin by acknowledging the traditional owners of the land, the Wathaurong tribe and their elders.

This historic sitting of the Legislative Council in Ballarat is a fantastic initiative of the Bracks government. It is an opportunity for the people of Ballarat to see the Parliament in action. This historic sitting of the chamber in this location also allows members to recall a major event that occurred 21 months ago, an event that saw the political colour of the state change dramatically. That event was the election of the Bracks government with the strong support of the Ballarat region.

Honourable members interjecting.

The PRESIDENT — Order! I ask the house to settle down. Members have probably noticed that their remarks occupy all of this space, and I ask members to moderate their comments and allow the Leader of the Government to continue her dissertation.

Hon. M. M. GOULD — The change of government was strongly supported by the Ballarat region. For the first time our fellow Victorians in regional and rural

areas were an integral part of the decision-making process.

Early in its term the government initiated an historic summit of mayors. That saw all the mayors and chief executive officers from rural and regional councils come together to meet with the government and discuss the issues at hand. Given that these councils had been buffeted by forced amalgamations, the introduction of compulsory competitive tendering, the capping of rates, the impact of school and hospital closures, and a dramatic reduction in funding for the vital infrastructure they required, the mayors were more than happy to meet with a government that was prepared to listen to regional and rural Victoria, to listen to the community and hear what their issues were.

This summit set a course for a new era of partnership between state and local governments. It has led to a dramatic improvement in the confidence and outlook of these regional and rural areas of Victoria. However, this new spirit of optimism has been dampened a bit by the federal government's policies on regional and rural areas. This new spirit of optimism depends a lot on the policies of both state and federal governments. The lack of federal policies with respect to regional and rural areas leaves a bit to be desired. It would be interesting if the issue of federal government policies had been included in the motion before the house.

I shall look at what this government has done, and in particular refer to two small but socially significant programs designed to assist small communities to work together to chart their own courses. The first is the \$3-million community capacity building initiative targeted at communities with populations of less than 4000, which includes a lot of regional and rural areas. It is specifically targeted at small communities which previous governments have overlooked but to which this government is committed to ensure they are properly looked after. Eleven small towns have been identified and are working with the government to support and to develop their own plans for their future. Ensuring that regional and rural areas are well looked after is what this government is about.

The community capacity building initiative will do a number of things and three things in particular. It will enable the residents to identify community skills and assets which already exist in their towns. That needs to be drawn out from those small communities. It will give them resources to work up their own community projects, things that will build up their communities and their skill bases, and it will identify other resources to help them take charge of their futures. Finally, the program will assist communities to form local networks

with individuals, associations, institutions and businesses within those communities. That is very important for small communities that were deserted and totally ignored by the current opposition in its time in government.

This government is committed to ensuring that small communities are looked after, and it has allocated \$3 million to ensure that they are. Over the next three years it will provide communities with resources that include office administration space, community facilitators, training and leadership, human resource development and some travel funding because it knows people in regional and rural areas find it hard to reach some of those programs.

The program is being run by the Department of State and Regional Development, the Department of Natural Resources and Environment, and in the cooperative-partnership approach of this government it is also being conducted with the Victorian Farmers Federation because that organisation acknowledges that the regional and rural areas were deserted by the previous government. That is just one program the government is running to help to develop the regional and rural areas of Victoria.

The second program I want to identify is the rural community development program, which has an expenditure of \$5 million. About \$1 million of that project has been allocated to the western region of Victoria, which obviously includes Ballarat, to fund minor infrastructure projects identified by smaller communities in consultation with their councils. The cooperative-partnership approach of this government is in total contrast to that of the opposition when in government. Our government is bringing councils and communities together, and this program is to improve civic pride. The funds are provided on a dollar-for-dollar basis and often involve in-kind support from the local residents. They do not put in financially but they give in-kind support because that brings the communities together.

One major aspect of that program has been the upgrading of small community halls. Honourable members from the National Party know how important those small community halls are; they are the lifeline of communities. Many of the halls were built in the 1970s and 1980s and they need upgrading and repainting. The kitchens need to be fixed up and access must be made available for the disabled. Community halls are the hub of a small regional or rural area, and this government acknowledges that and is putting funding towards that. This is something both the community and the government have identified. Honourable members

know that country people need these halls and that they are widely used by a broad range of community members. It is a need that needs to be addressed and this program is doing so.

The halls have now been repaired through the rural communities development program, which draws funding from the Community Support Fund. That is what the Community Support Fund was originally designed for — not to waste millions of its dollars on a yacht sitting somewhere on the bottom of the Pacific Ocean! The Community Support Fund was designed to support the community. When it came to office the Bracks government changed the criteria to ensure the funds get back to the community.

This year's budget strongly underscores the determination of the Bracks government to redress the imbalance between country and city as well as to change the difference or focus of the previous government with respect to that. More than 45 per cent of the state's massive \$2.51 billion infrastructure development program has been targeted towards rural and regional areas that were totally ignored by the previous government. That unprecedented investment in new infrastructure deals with transport, innovation, education, health and environment. It provides a foundation for long-term stable job growth and stability within regional and rural areas. The \$951 million of infrastructure projects for country areas does not include the \$468 million worth of statewide infrastructure projects; that amount is additional. That has been of enormous benefit to regional and rural areas, particularly Ballarat.

I repeat that figure: 45 per cent of the new asset investment spending is for new opportunities in regional and rural Victoria. The government's commitment is to build the whole of the state, not just the big end of the town, and is in stark contrast to what the opposition did when it was in government. The Bracks government has spent 45 per cent while the former government spent just 22 per cent.

I turn to what has clearly been a crowning achievement of the government in its partnership with local communities and their councils to stimulate economic growth and provide jobs. The Regional Infrastructure Development Fund (RIDF) is a \$180 million fund established by the Bracks government under its reviving rural and regional Victoria policy. That fund builds roads, improves regional airports, upgrades stockyards and revitalises tourist attractions and activities. It has been used to assist dairy farmers to upgrade their power facilities and a range of other information communications technology projects.

So impressed has the Victorian Employers Chamber of Commerce and Industry been with the fund that it has called on the federal government to replicate the program introduced in Victoria. A number of other state governments have visited Victoria to see how the program works. Even some opposition members who initially opposed the program have come to the government and said, 'We want access to the funds for our community'. They acknowledge the good works of the fund and the need to look after regional and rural Victoria.

But by no means is that all. The Auditor-General has recently audited the RIDF and prepared a glowing report; he has given it a tick. Even some members of the opposition have tried to access funds for some of their pet projects.

This government has not done what the opposition did. We did not walk away from regional and rural Victoria; we did not ignore it. We put funds in place and drew in the community, the mayors and the chief executive officers. We listened to and worked in partnership with them. We have developed funds that have assisted and will assist dairy farmers and local communities in their halls in identifying their skills.

I refer to one of the comments about jobs made by the Deputy Leader of the Opposition. In the last 12 months this government has created 32 000 new jobs in regional and rural Victoria. That figure is backed up by the Australian Bureau of Statistics. In June the unemployment rate in Victoria fell from 6.4 per cent to 6.2 per cent, but the national unemployment figure remained unchanged. Along with that of New South Wales, Victoria's unemployment rate is now the lowest of all the states of Australia. Victoria has not enjoyed a position such as this since 1990. That is what the Bracks government has done since it came to office just under two years ago. It has looked after and included country Victoria. We have grown the whole of the state, not just the big end of town, as the opposition did when it was in government. The former government ignored rural and regional Victoria; it ignored the calls of country Victoria, and it suffered the consequences.

This government is doing what is needed for regional Victoria. We are putting in funds and resources and listening to and working in partnership with regional and rural Victoria.

Hon. W. R. BAXTER (North Eastern) — I am pleased to participate in this debate in Ballarat today. I know members of Parliament sometimes have trouble with parking in Ballarat, so I hope I do not have a ticket on my car when I go out!

This motion being debated as we meet here in Ballarat should be a recognition by the Parliament and the Legislative Council of the significant part rural and regional Victoria plays in the welfare, economy and development of the whole state. To that extent it is appropriate that we are debating a motion such as this. It indicates that the Parliament understands that country Victoria is a vital part of our community and not just a rustic heritage of a time when the nation rode on the sheep's back, which we no longer need or rely on.

The speech made by the Leader of the Government today was disappointing. I am sure those people in the public gallery who are listening could only have been disappointed by it, because it was composed of little else but rhetoric and political sloganeering. I did not think that was why we came to Ballarat; I thought we came here to demonstrate to the people of regional Victoria that the Parliament is a forum for an exchange of ideas; a place where we can have debates on philosophy and direction, take notice of changes in our community and mould the way we can adapt to and handle those changes to move the state forward as a cohesive community.

Did we get that from the Leader of the Government? Unfortunately, we did not. We had a whole lot of rhetoric. We had it trotted out yet again that the Kennett government closed schools and hospitals. The Honourable Kaye Darveniza interjected yet again and said, 'You closed hospitals'. I challenge her, as I have challenged her on a number of occasions when she has made such interjections at Spring Street, to name one place in north-eastern Victoria — anywhere in country Victoria! — where a health service was lost? She cannot do it, yet it is trotted out again today as if it were fact. It is patent rubbish!

Let us for a moment look at the importance of rural Victoria to the economy of this state. We only have to look at the *Australian Financial Review* of 31 July, which states:

Australia has recorded its best trade performance in a decade, with the weak dollar's sparking a rural-led export boom in the face of the global economic downturn.

While the economies in Asia and Latin America have been hit hard by the US downturn since late last year, Australia's goods and services exports are up 13 per cent in the 12 months to June compared with a 1 per cent decline in imports.

Rural exports have led the way, up 22 per cent over the 12 months to June ...

What great news it was to us all when we saw the trade surplus for the last two months in succession compared with the trade deficits that we had grown used to over

the previous years. That indicates exactly how important rural Victoria is to the state and the nation.

The Australian Bureau of Agricultural and Resource Economics statistics indicate that the value of farm exports is forecast to rise to some \$29.8 billion in 2001–02, which is growth of some 16 per cent on the year just ended and 34 per cent on the year before that. Today honourable members must acknowledge the importance of rural Victoria to the export income of this nation. We should also acknowledge, as the motion acknowledges, the part the state can play in fostering that continued development of rural Victoria.

Before I move on to a number of the things I wish to talk about, in light of the rhetoric we have heard from the Leader of the Government, we should all recap for a moment on some of the achievements of the previous coalition government. We must think about the target that was set of \$12 billion in exports. The coalition government increased it from \$2 billion to \$6 billion, and it is well on the way to \$12 billion. I am pleased that the current government adopted that target and is supporting it.

Honourable members must think about the \$1 billion that was spent on water infrastructure in rural and regional Victoria. You cannot get the manufacturing value-adding that the Honourable Bill Forwood referred to unless there is the reliable, high-quality water supply that was provided to virtually every country town by the previous government. I know that the current Minister for Environment and Conservation has had much pleasure in going around the state unveiling brass plates while opening new water treatment plants. Good luck to her! She is capitalising on a very good investment made by the previous government.

Let us talk about local government reform. Does anybody in Ballarat today think that Ballarat is worse off because it now has a single municipality rather than the five it had previously? Does anybody in Bendigo today, where the Legislative Assembly is sitting, think that with the nine municipalities that were previously the circumstance Bendigo would be booming like it is today? Of course not! Very tough decisions were taken, and members of the National Party and the Liberal Party attended character-building meetings throughout country Victoria at the time. A great deal of pain and angst was felt, but does anybody now think that it was wrong? No, they do not!

Let us look at the Better Roads program. I know a little about it, and we heard a bit about it from the Leader of the Government. Tremendous benefits were brought to

country roads through that program of the former government.

I turn to health services. A month or so ago I had the pleasure of attending, with the ministers for health and aged care, the opening of a new \$3-million hospital in Mount Beauty — committed and built by the former government. There are plenty of similar examples throughout country Victoria. On Tuesday night Mrs Powell and I attended a meeting in Nathalia of the primary school council. A gentleman was there who, on behalf of the government, had done an audit on the fabric of schools in North Eastern Province. I might ask him to join my next election campaign because he noted, without any sort of prompting at all, that the condition of schools in North Eastern Province — that is, their fabric and building quality — was marvellous and second to none. Yet if you listen to members of the government you would think that not a dollar was spent on schools in country Victoria under the last government.

That is not to say that everything is rosy in country Victoria. Of course it is not. Today I want to focus on some of those changes in our community in country Victoria that we especially have to come to grips with and work out how to handle. I particularly talk about the changing demographics in many of our small country towns. Not only are populations declining in real terms for a whole range of reasons — technology, farms getting larger, people wanting to get different jobs in the larger towns and sponge cities like the Sheppartons, Horshams and Wodongas attracting people from the smaller towns to live where there is a wider range of recreational activities, health services and so on — but we have a significant change in the make-up of the population in those towns.

I quote a study done in 1996 by a researcher named Budge at Monash University, who states:

... some small rural towns, especially those not far from major metropolitan areas —

and I would add 'and major regional areas' —

attract low-income households in search of low-cost housing, especially recipients of government pensions ... These internal migrants —

'internal migrants' is not a bad description —

come to such towns and increase the number of residents there of low income and (often) service dependence. Recent research in small communities across the Australian states claims that the location of people on low and fixed incomes in towns without employment prospects or many community services is one of the major issues confronting non-urban Australia.

He encapsulates the sort of view that I am coming to of so many of the areas I visit. That raises a number of social issues, and we have to give some consideration to how we might deal with them. I refer to a comment from Mr Bob Birrell from Monash University, who honourable members may recall gave a presentation in the Legislative Council committee room a year or two ago. While I disagree with some of the conclusions Mr Birrell has reached, he has highlighted a number of points of which we should take note. One small aspect of his work says:

One of the most serious long-term issues is the fate of the children raised in low-income or single-parent families in regional Victoria. If they are to compete in the labour market they need skills. How are they going to attain these skills if they grow up in settings where educational resources are stretched thin and where their parents, or parent, have little financial capacity to invest in their future?

There is already evidence of declining retention rates in some regional schools. This should start to ring the alarm bells.

I agree entirely. It should start ringing alarm bells. We as a Parliament need to consider how we are to deal with that changing demographic in the state.

As a child growing up in country Victoria I went to a fairly large primary school where most of the students came from farming backgrounds — at the time farms were doing fairly well — or from well-established local businesses such as the hardware store, the draper, the butcher, the baker and so on. It was a fairly homogenous complement of schoolchildren, to put it one way.

It is not so now, as Mrs Powell and I observed at the Nathalia Primary School on Tuesday evening. That school has seen its enrolment drop from 205 students two to three years ago to 180 this year. It is likely to lose 42 to secondary schooling at the end of this year as grade 6 pupils move on.

So far the indications are that there will be only 16 coming in at grade 1. That school is observing a fairly substantial decline in its enrolments, but the two articles I have quoted indicate that the enrolments are coming more and more from those from a disadvantaged background. How those children are to be given a fair and equal start in life has to be addressed.

Normally, as numbers decline resources are reduced commensurately. That is logical and what you would expect to happen. However, the children's background means their needs are greater, and we ought to be giving greater resources to those schools experiencing that sort of change in their student profile. That is where we really need to be turning our attention in debating

the second leg of this motion. How the state can assist to deal with that situation needs more thought from the Parliament than the Leader of the Government talking about a \$3 million program to fix up country halls. As good as that might be — and as if it were some new program — she overlooked the previous government's rural 2001 program that fixed nearly every hall in my electorate, including those at Talgarno and Bonegilla, so there is nothing new about it.

That is the sort of opportunity we should be discussing today during the debate on this motion: how can we give some form of positive discrimination to schools such as the one I have just mentioned? There is no doubt the principal, Tony Anderson, and his school council are the most alert school group that I have met for quite some time. They are really grappling with the issue. However, I was alerted to it on Tuesday night and plead ignorance in that I had not earlier cottoned on as well as I might have to this sort of change that needs to be dealt with.

A new confidence in country Victoria has been brought about not only by government actions, but basically by a turnaround in commodity prices. That makes it propitious for us as a government, a state and a Parliament to build on this new confidence in country Victoria and go forward with it. Wool prices are increasing; the stockpile has gone. Dairying deregulation has advantaged Victoria, despite attempts by some people to sabotage it in the past. If anyone wants a good example of how well dairy deregulation has gone for Victoria they should read Bill Pyle's article in yesterday's *Weekly Times*. Lamb prices made record levels in Shepparton and Bendigo in the last week; cattle prices are good; the canola crop prices are well up on last year; and the wine industry is going well.

However, confidence is a fragile thing, as well we know. To realise that one has only to look at the *Weekly Times* of 15 August and an article entitled 'Rain hopes fade', which states:

Farmers across northern Victoria and the Riverina are desperate for falls after one of their driest years on record.

We have to be sensitive to the fact that we are in a very dry period and could be in for a tough time, which would rapidly sap the new confidence emerging in country Victoria. Another example of the problem we might have to confront is evidenced from a media release from Goulburn-Murray Water yesterday that states:

Inflows to Lake Eildon over the 57 months since the last spill in November 1996 are the equal lowest for any period in

108 years of available record. Inflows to Lake Eildon have totalled only 80 000 megalitres, 18 per cent of average, over the past three months.

It is winter, when one normally expects significant rainfall, and it has not come.

Hon. R. A. Best — And there's no snow.

Hon. W. R. BAXTER — That is right, there has been very little snow. As I said, there is a new confidence in country Victoria.

The scene is set for some new investment for revitalisation, a new outlook and an influx of young people back into agriculture. During the 1980s and 1990s what young person, having seen their parents struggling on a farm or in a country town business, had any sort of incentive to go back to those areas? Very few indeed. However, there has been a turnaround. Some honourable members will recall the delight I demonstrated in the house during the last session when I spoke of a young man from Wodonga who had got a job as a station hand at Wyvern station because he saw a future for agriculture. If it is done right many young people will be able to be convinced that agriculture and country living offer them great careers and a quality of lifestyle that they will not experience elsewhere.

As the second leg of the motion says, as members of parliament we need to demonstrate that we are alert to the needs of country Victoria. I will give a couple more examples in addition to the ones I have already given regarding primary school enrolments. One is in the area of irrigation infrastructure. I refer to the Goulburn Valley in particular which is the food bowl of Victoria, if not Australia. Two areas in the Goulburn Valley irrigation system — Shepparton and Central Goulburn — have recently experienced an increase in the price of water of 15.4 per cent. In anyone's language this is a significant increase indeed.

It is unfortunate that it has come about, but there were a number of reasons for it. One is that when the water industry was restructured in the early 1990s and went from being the Rural Water Corporation to the rural water authorities, too little attention was given to asset valuations in the two areas to which I have referred. They both had ancient and run-down infrastructure and too little allowance was made for that. They have had to make a tremendous amount of expenditure to catch up and bring infrastructure up to scratch. Five dry years have impacted on those areas. Traditionally, Goulburn-Murray Water has relied on sales to give it extra revenue to balance the books. One only has to look at the 1998–99 figures, which show that the allocation of sales for the Goulburn system was zero.

The same was the case the following year and is for the current year. An announcement has been made projecting no increase for next year: no sales.

So clearly those areas are not getting the benefit of that revenue and are struggling. The government could well give some assistance to bring those areas up to more modern standards and to do so in terms of conservation and environment, noting that water savings can be achieved, but more particularly by taking note of the national competition policy. This state is receiving back fairly large sums of money from the commonwealth government through national competition policy because the irrigators of this state have done what they were asked to do to meet that policy. I refer to some of those demands. One of the requirements was:

... the adoption of pricing regimes based on the principles of consumption-based pricing, full-cost recovery and desirably the removal of cross-subsidies which are not consistent with efficient and effective service, use and provision.

The irrigators of the Goulburn Valley have met all those demands. They have borne the pain and it would be a demonstration of the good faith of this government if it were to assist in overcoming this temporary setback which has been largely brought about by the lack of water sales. I shall indicate the sort of money that is coming back from the commonwealth to the state through national competition policy. During 1999–2000 it was \$154 million; in 2000–01 it was \$115 million; and \$178 million is projected for next year. The amount will rise to \$196 million in 2005. A subvention is coming back in recognition of national competition policy being implemented. The state could well give some consideration to assisting irrigators in that area, and there are some other areas that might be assisted.

I look again at a small hospital and note that, while the previous government did well in replacing small hospitals, of course it did not finish all those on the list. I have already referred to the township of Nathalia, and I refer to it again. Its hospital was built as a private residence in 1896. The Nathalia hospital is now over 100 years old and has served the district exceedingly well — there is no question about that — but it would not meet any standards of occupational health and safety today.

Mrs Powell and I inspected it earlier this week, and I point out as an example that, if there were an emergency and a patient in a bed had to be evacuated, the only way it could be done would be by carrying the patient out through the accident and emergency area, past the high voltage switchboard — which is the place where a fire would most likely start. There is no other

door in the hospital that a bed would fit through. The nursing home patients' washing has to be taken to the laundry through the staff room. Can honourable members imagine a situation where soiled linen is conveyed past the staff who are eating their sandwiches at the table? There is no separation between the nursing home and the acute patients: they are all in the same area. You can imagine the stress that that imposes, firstly, on the nursing home patients who see people in extreme ill health and difficulty, and secondly, on acute patients who are seriously ill and are somewhat put out by having demented people roaming around near them.

It is a tribute to the nurses at the Nathalia hospital that they work under such conditions. Local honourable members are taking a deputation on the matter to the minister, and I hope and am sure that the minister will give the deputation a sympathetic hearing so planning can start for a new hospital in Nathalia, much the same as the one that has been built in Mount Beauty. They are similar sized communities.

Time is on the wing today and there are a number of other issues that I particularly want to deal with, but I will truncate my remarks somewhat. I will return to the comments of the Leader of the Government. She told honourable members about the community development program that will assist 11 small communities around country Victoria, and Nathalia happens to be one of them.

There is a man in Nathalia who runs a feed mill. He wants to spend \$3 million on expanding the feed mill and creating quite a few jobs. To do so he needs to purchase a small amount of land on the former railway line. It has not operated as a railway for 20 years or more and is never going to be a railway again, whatever revival rail might have. The proposal has been supported by the Nathalia and District Development Corporation, the Shire of Moira and numerous other bodies, but has been pushed from pillar to post in the government. No-one will take it up and make a decision on it. The situation was so appalling that I wrote to the Minister for Finance, whose department handles the sale of small parcels of government land. It took five weeks for someone in that minister's department to write a letter back to me saying that it had nothing to do with that department and that they had sent it over to Peter Batchelor, because he is the Minister for Transport.

If the Leader of the Government is serious about helping small country towns, and particularly a town that has been nominated as one that would fit into the program, why cannot someone in cabinet, the government, or the bureaucracy, or the Minister for

State and Regional Development or whoever get hold of this proposal, knock a few heads together and get the matter finalised? Last night I had a call from the investor, who said, 'I have told them my deadline is the end of August. If I have not got an answer by 1 September, I am relocating to Tocumwal in New South Wales'.

An Honourable Member — A \$3-million dollar investment!

Hon. W. R. BAXTER — A \$3-million investment in a small country town, and all someone needs to do is sign off on the sale of a small piece of surplus government land. There is tremendous inertia in the government when it comes to helping country Victoria.

That is one example, but I could give the house five or six others. While I am talking about the Minister for Post Compulsory Education, Training and Employment and encouraging people in country Victoria to take up agricultural professions and occupations, I mention that an article in the *Weekly Times* of 15 August states:

Hundreds of rural Victorian students are missing out on TAFE courses because the state's agricultural, horticultural and forestry colleges have been deemed metropolitan.

...

A regional differential rate of 30 cents a student each contact hour is given to country TAFE providers to compensate for difficulties such as small class sizes, travelling distances and administrative costs.

But because the institute is part of the University of Melbourne, the Minister for Post Compulsory Education, Training and Employment, Lynne Kosky, has refused supplementary funding.

There we have it! This minister says the institute cannot get this funding because it is run by Melbourne University. Where is this government's commitment to rural Victoria? It is simply not there. Places like Dookie and other colleges can offer young people magnificent opportunities in agriculture, but they are being stymied by this government, and by this minister in particular. The minister is blinkered. She must never have been beyond the tram tracks because she thinks rural Victoria is like a suburb — a part of Parkville!

I will conclude, because I am aware that a number of other members wish to make a contribution to the debate. We have a responsibility to take a non-partisan approach to this motion. That is why I expressed some disappointment —

Hon. T. C. Theophanous interjected.

Hon. W. R. BAXTER — I made those comments because instead of the statesmanlike address I was

expecting and thought the house deserved, the Leader of the Government delivered a heap of rhetoric. I am simply pointing out to honourable members opposite where reality begins and where the fantasy in which the Leader of the Government seems to live ends. Cohesiveness is a very important element of society and we should be aware of it. If we do not have a cohesive society, destabilising political movements can arise and we can have frustration, anger and feelings of being left out. We have seen a bit of that over the past few years and we have seen what that can lead to. Rural Victoria is far too important to allow those sorts of sentiments to arise and get a run on.

Rural Victoria underpins the economy of this state. The standard of living of virtually everyone in the city of Melbourne is, at the end of the day, underpinned by the export income generated by country Victoria. The house should acknowledge that and it should carry and implement this motion.

Hon. D. G. HADDEN (Ballarat) — It is with great pleasure that I rise to speak in support of the motion moved by the Honourable Bill Forwood. The motion confused me somewhat because the opposition is putting forward government policy in this motion, but I commend it for that.

I wish to thank Mr President and the parliamentary staff, the Premier, and the Leader of the Government, for enabling this centenary of Federation sitting to happen in Ballarat today. I also wish to thank the mayor and councillors of the City of Ballarat for welcoming us to this magnificent town hall. Further, I wish to acknowledge the traditional owners of this land. I want to thank the Ballarat and District Aboriginal Cooperative; the elders, directors and members of that cooperative; and the Koori community in Ballarat and district for their very warm ceremonial welcome this morning.

Today's sitting in Ballarat highlights the role played by rural and regional Victoria in shaping the state and provides the community with an opportunity to see a democratic Parliament in action. This government came to office in 1999, when I had the very great pleasure of being the first woman in Ballarat's history to be elected to the Ballarat province.

An Honourable Member — Long overdue!

Hon. D. G. HADDEN — Yes, long overdue. As the Leader of the Government said, the election in 1999 of the Bracks Labor government produced a sea change in the administration of government in Victoria. I would go further and say that we came to office on a tidal

wave of support and enthusiasm, specially from rural and regional Victoria, and that continues to this day. It continues as a result of my representation of this electorate and that of my colleague the Honourable John McQuilten and our hard work in the Ballarat Province.

Every day in our travels we see the enthusiasm of rural and regional communities as a result of the government's policies. You can travel not too far out of Ballarat to see the vibrancy and buoyancy of small rural communities such as Beaufort, Avoca, Lexton, Maryborough, Creswick, Talbot and Clunes — where the first payable gold was found in June 1851 — to see that this government's policies are working. We have hit the mark which, as a result of the endorsed Liberal Party candidate for the federal seat of Ballarat spitting the dummy in the past few days, is certainly not what the opposition has done.

The Bracks government came to office on the four pillars of growing the whole state, and that includes rural and regional Victoria. We moved the boundaries of government thinking; we removed the blinkers from government thinking to beyond the tram tracks of the City of Melbourne. We are growing the whole of the state and we continue to grow the whole of the state, which of course is a thorn in the side of the opposition!

We maintain the pillars of financial responsibility and social responsibility, which have been the basis of the first and second budgets handed down by the Bracks government. We are improving services across the whole of the state. We are also restoring democracy to government policy across the whole of the state, as is clearly shown by today's sitting. It is also shown by the regular occurrence of community cabinets, which take place on a rotating basis not only around suburban Melbourne but also in country Victoria, and they are very well received by the communities.

A few smallish policies put in place by this government are having a flow-on and multiplier effect in country Victoria. They might seem small when one looks at the whole picture, but if one looks at Victoria as it is shown on the logo for Victoria tourism where the state is made up of many pieces of a jigsaw, one sees that those pieces are all dependent upon and interrelated with one another. Only yesterday the Minister for Sport and Recreation announced at Mars Confectionary of Australia a \$100 000 grant for staff training at the Ballarat factory which will result in the creation of 60 new jobs. Next month will see the opening at Beaufort of a new community resource enterprise centre and library, which will be a huge boost to that town and to the Shire of Pyrenees as a whole.

The other great coup for Ballarat, of course, was the announcement by the Minister for State and Regional Development of the moving of 40 per cent of the operations of the State Revenue Office to Ballarat at the Technology Park at Mount Helen. Towards the end of July I had the great pleasure of being in attendance at that site along with my colleague the Honourable John McQuilten at the turning of the first sod of the State Revenue Office building. That relocation of 40 per cent of the SRO's functions to Ballarat will result in and generate recurrent savings. It will also result in \$16 million per annum in recurrent benefits — nearly \$100 million over six years — to the regional economy. Certainly the State Revenue Office's move to Ballarat is very welcome by both the City of Ballarat and the University of Ballarat and, indeed, by the community in Ballarat and district.

Another huge coup for Ballarat and the City of Ballarat in particular is the upgrade of the Bridge Street Mall. That project was commenced in 1979 and sadly is in need of some rejuvenation. The state government, through the Minister for State and Regional Development, has announced \$2.57 million from the government's Regional Infrastructure Development Fund towards the upgrade of the Bridge Street Mall. The total cost of the project of \$4.1 million is being contributed to by both the state government and the Ballarat City Council.

There is also the development in the Curtis Street car park of the Big W department store which will see something like 300 jobs created. That is under construction as I speak.

The government also looks after the underprivileged in the state. That is seen by the announcement of the Minister for State and Regional Development a few days ago of the My Connected Community program which will provide \$550 000 of funding to help people from non-English-speaking backgrounds, people with disabilities, and regional Victorians with the training and support needed to set up a web site and publish online. The 17 successful groups will receive between \$20 000 and \$50 000, which they will use in a number of ways to get them online. This is another example of the Bracks Labor government taking on board all persons in rural and regional Victoria.

Another great achievement of this government is the establishment and funding of the community enterprise centres across the state. At the moment six centres have been established: at Minyip, Daylesford, Horsham, Ararat, Edenhope and Nhill — and of course next month the seventh will be established at Beaufort. Those centres are equipped with computer training,

Internet access and videoconferencing facilities, and they are owned and managed by the local communities.

Other initiatives which this government has put into place include the fast rail links project, which will see the largest upgrade of Victoria's regional rail services since the 1880s. At least \$550 million will be invested by this government over four years. It will increase rail patronage and see the upgrading of more than 500 kilometres of track.

Other initiatives by this government include the accident black spot program — and more than 50 per cent of the funds from that program are dedicated to regional and rural Victoria. There is also the Port of Geelong rail standardisation program, as well as the standardisation of the standard rail gauges throughout Victoria on the key rail freight lines to the tune of funding of \$97 million.

It is about 151 years since the first two members to represent Ballarat — John Basson Humffray and Peter Lalor — were elected in 1855 to the Legislative Council. They went on to become members of the other house, and Peter Lalor became Speaker of the Legislative Assembly. Those two forefathers of Ballarat were held in the highest regard for their efforts in taking into account the interests of everybody, especially the interests of the miners at the Eureka uprising in 1854.

In conclusion, the motion is good because it spells out exactly what the government is doing and will continue to do while in office. It has hit the mark and will continue to hit the mark, which is something the opposition sadly did not do over its seven years. That is why it is in opposition — but it still has not learnt!

Hon. PHILIP DAVIS (Gippsland) — It is with great pleasure that I contribute to debate on the motion that Victoria should have a vibrant and buoyant rural and regional area as an essential element of the state's growth, and that state government policies play a key role in securing success in this field. The motion is important and appropriate in the circumstances of this historic meeting of the Legislative Council in Ballarat. I join with my parliamentary colleagues from all sides of the house in recognising and being thankful for the warm welcome honourable members have received in Ballarat today.

I shall make a few remarks about the motion. I had intended to restrict myself to observations particularly about aspects of primary industries and the importance of government initiatives to support the evolution and development of Victoria's minerals industry. However, upon reflection after listening to contributions by other

honourable members, I thought I should divert from my intention and respond certainly to the Leader of the Government's contribution, because the house heard an inadequate response from her.

The Leader of the Government has demonstrated in Ballarat today what is really happening in politics in Victoria. The rhetoric upon which the Bracks government was elected — that is, to undertake a revival of rural and regional Victoria — is merely that. The Leader of the Government talked the talk but failed to understand that you have to walk the talk. The facts are that if there is any resurgence whatever in rural and regional Victoria today it is driven not by any action of government but by the reality of improved commodity prices for agricultural commodities.

Never in my lifetime has there been the coincidence of present events, because Victoria is seeing record prices for sales of beef cattle, wool, sheep and lambs, and record returns for dairy farmers. The dairy industry is doing extremely well in Victoria in the light of deregulation. It is my pleasure to reflect on the improved commodity prices and outlook for the principal commodities produced by Victorian agriculture. However, I warn the house that the improved prices are subject to the risk of currency movements. As with all things in agriculture, the good times are always too temporary. Therefore it is critical that the government understand it must take positive action and not rely on the effects of commodity prices and other events that are not controlled by government to restore and improve the economic viability of the regional and rural areas of the state.

I listened with great interest to the claim made by the Leader of the Government about the community capacity building program. I will recount for the house that this program arose from an initiative in my part of the world, Yarram. The Alberton project, as it is titled to reflect the name of the region formerly known as the Shire of Alberton, was a pilot program which the government has now enacted in a statewide context. What occurred at the same time the government committed funds and a significant policy initiative to support this community capacity building program? The loss of more than 100 jobs with the closure of Prom Meats, partly as a result of increases in Workcover premiums, and the loss of nearly 70 jobs with the closure of the Bonlac factory at Toora.

The government had no direct control over those events, but there are three specific matters over which the government does have control. For example, while running the rhetoric about building community capacity what has the government done?

Firstly, it has been indecisive in resolving a moratorium on ground water, which has inhibited agricultural development in the region. Secondly, it has created a risk or threat to the fishing industry with the introduction of marine parks, which exclude fishing from the local Corner Inlet region. Thirdly, but most critically, the decision to close the Won Wron prison, which was reflected in the state budget, resulted in the loss of 140 jobs to the local community. That decision was made by the government while talking about improving the capacity of rural communities and funding an initiative for community capacity building, which led to a statewide initiative. But what has the government done? It has taken 140 jobs in total from the Yarram region.

I say to the Leader of the Government that it is impossible for her to have credibility on any matter unless she does more than mouth the rhetoric in the speech notes handed to her by her ministerial advisers. She needs to understand the real issues. It is interesting that since my colleague Mr Forwood moved the motion this morning, at 11.30 a.m. the Australian Bureau of Statistics released the latest data on regional and rural employment which indicates that the number of full-time jobs lost in rural and regional Victoria so far this year has increased from 26 200, as he mentioned, to 36 100 — that is, another 10 000 jobs have been lost to regional Victoria under this government. The Leader of the Government seems to have not one wit of understanding about the reality of regional and rural development issues.

Given that Victoria's population comprises a mix of both people living in urban centres and those living in regional centres — about 28 per cent live outside the metropolitan region — it is important to understand what those people depend on for their livelihoods. In principle, for direct employment and the value-adding activity they depend on primary industries, including the agricultural, forestry, fishing and mineral industries. As I have alluded to before, their agricultural industries are affected by seasonal factors and commodity prices, which are, as is evident today, surprisingly good. While some parts of eastern Victoria are experiencing relatively good seasons, the majority of the state is suffering from an extended dry time.

There are other aspects to primary industries on which we sometimes do not reflect. The petroleum industry, particularly important in our coastal regions over the past 30 years has been traditionally an important aspect in eastern Victoria, but in western Victoria it is becoming increasingly important as the Otway Basin is being developed.

This is an appropriate city in which to have some discussion about the importance of minerals to this state. While it is not apparent in the consciousness of Victorians as a whole how critically important our long-term wellbeing has been, we remain and depend upon the minerals industry today as ever we did, but they are different minerals. In the 1850s gold built the cities of Ballarat, Bendigo and many other country towns. Today we depend heavily on the coal industry of the Latrobe Valley to generate the majority of our power which will continue for some time. It is important to recognise that there are other minerals to be utilised in this state. Gold remains an important opportunity for us, but there is a lack of government policy, initiatives and decision making inhibiting the development of those resources.

I turn briefly to a number of projects that are on foot. Perseverance Corporation Ltd at Fosterville near Bendigo, which employed at its peak in 1997 more than 90 people, announced over the last week the winding back of its operation in a few weeks to between 12 and 14 people. It is a great disappointment to me because we saw the revival of mining during the 1990s when the previous coalition government took the initiative of ensuring growth in that sector. Indeed, record exploration investment of the order of \$50 million a year was committed under the previous government.

Over the past week Ballarat Goldfields NL has announced its position in the gold industry. Many in Ballarat would be aware that there has been no gold production for some time in Ballarat. I was disappointed with the announcement on 3 August that a heads of agreement has been signed that will lead to the outright sale of the Ballarat Goldfields group's goldfield assets, the result being that that company will no longer be goldmining. It will be completely dedicated to its subsidiary technology business, Oztrak Group Pty Ltd.

Recently the government decided to disallow the development of an open-pit goldmine by Stawell Gold Mines Pty Ltd. Notwithstanding the environment effects statement process that had been undertaken, it has raised doubts about the future of planning approvals of any mineral development in the state. Clearly it has created concern among the shareholders of Stawell Gold Mines, which is the largest and most successful current goldmining venture in Victoria. There is some threat to the future of that development at Stawell, but importantly it is a negative message for the development of the mineral sands industry, which is currently in development.

I understand other honourable members wish to contribute to the debate. My closing remarks turn on the question of ensuring that we do not abridge the opportunity for the development of the \$13 billion mineral sands industry, which will not only be important to north-western Victoria and southern south-western New South Wales but also to regional Victoria as a whole. It will require investment in rail and port infrastructure to ensure that mineral sands can be processed and exported.

This industry is presently a billion-dollar-a-year industry for Australia, and has the potential reliant on Victoria's north-western mineral sands to grow to be worth in the order of \$2 billion. It is critical that Victorian government policy reflects the need to have proper infrastructure development to ensure the security of that long-term investment.

Hon. J. M. McQUILTEN (Ballarat) — I do not often make a speech in the house, but every now and then there is something that I want to say. This debate is one that I would like to contribute to, because I have always had a love of regional development and of getting investment and jobs happening in country Victoria.

I mention two things: leadership and persistence. Honourable members need to understand that there are two types of leaders — those who want to be leaders and those who are leaders. All of us in this house know the difference, and I think everyone in the community knows the difference too. You must have leaders in regional development and they must work in teams. Experience suggests that a team approach works much better in achieving results. In terms of persistence — and I think this one of the things that is really imperative, because it is not easy in country Victoria to get investments and create new initiatives — you must take time and never give up.

I will give honourable members some examples of a number of projects I have worked on. In 1991 I was trying to get the State Revenue Office to Ballarat. It is now here. That has taken 10 years. In 1984 I put up a proposal for an education precinct in Maryborough. I brought up that project again in 1993. Now, some 17 years later, we are going to have that project in Maryborough at a cost of \$25 million. Two days after I was elected to Parliament I went to a company with which I have been working on a project — sometimes it feels like full time — which, if successful, will employ more than 700 people in Ballarat for an investment of \$140 million. I believe we will realise the result of that two-year effort within a month or less. All of these projects take time and persistence, and you

have to work with teams. That is incredibly important in regional Victoria and Australia as a whole.

I finish by saying that I am currently negotiating for that company to come to Ballarat in the next 10 days to have further discussions with Ballarat University and the City of Ballarat. I will keep the public informed of all these developments.

Hon. I. J. COVER (Geelong) — It gives me pleasure to rise at this historic sitting in Ballarat to address the house on the motion moved by the Honourable Bill Forwood. While I acknowledge that we are in Ballarat, and I am a great supporter of Ballarat and regional Victoria, I think everyone knows that I wear Geelong's heart on my sleeve. It is great to be able to speak in Ballarat as a representative of Geelong and to apply some of the lessons learnt in Geelong to the motion and how it applies to regional Victoria. At the same time, I apologise on behalf of colleagues I may have jumped ahead of in the queue, given that the time available is not going to permit them to speak on the motion.

In today's debate the two areas of investment and jobs have been well canvassed by speakers, particularly from this side of the house. In Geelong both investment and jobs were well served by the previous government. A great example was on the Geelong waterfront where \$15 million of state government investment generated more than \$250 million of private development.

The jewel in the crown of the Geelong waterfront development is the 4½ star Four Points Sheraton hotel, which finally opened last week. Honourable members have heard me raise concerns in the house about delays with that project in the past. It has opened and at the opening the developer, Les Erdi, called on everyone to work together to assist with further investment and job creation in Geelong. At the top of the list of his call to join this partnership between developers and entrepreneurs, the council and the government, was the union movement. Significantly the Premier and the Labor members for Geelong were there to hear this call for a new era of industrial peace and property development in Geelong. Mr Erdi said he is looking for a united front comprising developers, unions and the government as a key step in ensuring future development, future investment and jobs in Geelong as part of a buoyant rural and regional Victoria.

It was pointed out at the opening that there had been delays, as I have referred to previously. It was significant that Mr Erdi made this call and that he is prepared to make continuing investment in Geelong as part of regional Victoria. I was pleased to hear him

make those comments and I trust that the Premier took them well on board.

The jobs issue is not just about creating jobs but about protecting and maintaining existing jobs in rural and regional Victoria. At the moment the position of Target's head office in Geelong has reached crisis point. At the hotel opening last week the Premier met with members of the Australian Services Union and Target employees to hear of their demands for him to assist them to maintain their jobs in Geelong as a vibrant and important part of regional Victoria. I call on the Premier to do more than just accept a petition signed by 12 000 people in Geelong, but to assist with the retention of those jobs.

There is no doubt the government has the resources — occasionally it has the will — for job creation or job retention. Recently, the government assisted Holden in its decision about its plant at Fishermans Bend. It is too easy to say it is a commercial decision to be made by the Coles Myer board about Target. It could be said that Holden's decision on where it located its plant was commercial. It received government assistance, both in the services provided by the various departments and also with financial assistance. The government has to do more to ensure that those jobs are retained at Target in Geelong.

I could say much more on the motion, and I know there are speakers from this side of the house who would have liked to have contributed to the debate. As Mr Forwood pointed out, there are warning signs that must be noticed and acted on by the government through its policies to ensure that a vibrant and buoyant rural and regional Victoria remains an essential element of the state's growth. The government's policies must play a key role in continuing and securing success in this field.

Motion agreed to.

Sitting suspended 12.29 p.m. until 2.02 p.m.

QUESTIONS WITHOUT NOTICE

Legislative Council: rural and regional sittings

Hon. M. A. BIRRELL (East Yarra) — My question is directed to the Leader of the Government. Given the clear success of this sitting of the Legislative Council in Ballarat, will the government commit itself to holding at least one sitting of the upper house in rural or regional Victoria once every year from now on?

Hon. M. M. GOULD (Minister for Industrial Relations) — I thank the honourable member for his question. As we have already indicated today on a number of occasions, the historic sitting of the Legislative Council in Ballarat is one that is being appropriately recorded, and a number of children will be able to see it. The Bracks government is committed to open and accountable government.

This historic sitting of the Legislative Council in Ballarat shows how the government is bringing the Parliament to the people of Victoria. It was a government initiative for the Legislative Assembly to sit in Bendigo and for the Legislative Council to come to Ballarat.

This government is committed to being open and accountable and to ensuring that the people of Victoria have an opportunity to see at first hand how Parliament operates. The government has indicated that it would see if it were a success and, on that basis, look at the logistics of it. We will review it.

State Revenue Office: Ballarat

Hon. D. G. HADDEN (Ballarat) — My question to the Minister for Industrial Relations relates to the decision by the Bracks government to open the new State Revenue Office at Mount Helen in Ballarat and the resulting creation of 200 new jobs. Will the minister inform the house about the progress and process of recruiting staff for the new facility at Mount Helen in Ballarat?

Hon. M. M. GOULD (Minister for Industrial Relations) — I thank the honourable member for her question, and I know she has followed this relocation process with keen interest. The Bracks government is pleased that the relocation of some of the government's State Revenue Office (SRO) functions to Ballarat is proceeding well. In line with the Bracks government's cooperative approach to industrial relations the Community and Public Sector Union (CPSU), which is the relevant union for the public sector, has been fully consulted during the decision-making and implementation process of the relocation.

The move represents one of the largest placements of government agency services to regional Victoria in several decades. The move will result in 40 per cent of the SRO activities being located in Ballarat. The establishment of the government's SRO facility in Ballarat will inject more than \$100 million into the local economy in the first six years. It will also bring more than 200 skilled long-term jobs to Ballarat. This morning I visited the offices of Ballarat Employment

Service and Training (BEST), which is the recruitment agency responsible for the recruitment of staff at the Ballarat SRO facility, to ensure that this important part of the relocation proceeds smoothly.

Last Saturday an advertisement was placed in the Ballarat *Courier* seeking applications for positions at the Ballarat SRO. I am pleased to inform the house that there has been an overwhelming and positive response to that newspaper advertisement. The general manager of the agency, Patrick Herd, told me this morning that more than 500 people had made inquiries about the new positions since last weekend. Extensive consultation with the CPSU has also taken place about opportunities for SRO staff who are working in Melbourne to move to Ballarat. Those Melbourne SRO staff who take up the opportunity to move to Ballarat will be rewarded with an improved training facility and a better career structure as well as a lifestyle associated with living in Ballarat, as honourable members have experienced today.

In line with the government's consultation and agreements with the CPSU the Melbourne employees have until 30 October to express their interest in moving from Melbourne to Ballarat. The relocation of part of the SRO to Ballarat is a demonstration of the Bracks government's commitment to growing the whole of the state.

Nurses: industrial dispute

Hon. M. T. LUCKINS (Waverley) — Will the Minister for Industrial Relations outline her personal actions as minister in the nurses dispute and why she failed to avert the crippling bans which resulted in the closure of 67 beds and the cancellation of 30 elective surgery procedures at Ballarat Base Hospital since Monday this week?

Hon. M. M. GOULD (Minister for Industrial Relations) — As I have explained to honourable members on numerous occasions, the responsibility of my department and Industrial Relations Victoria is to set the negotiating framework for industrial enterprise agreements that come up from time to time. As such the government has developed the enterprise bargaining principles to be used by all departments and agencies.

It is then the responsibility of each of the departments and agencies through their relevant ministers to negotiate with the employees in regard to the agreed framework that the government has put out.

Throughout the negotiations my office, Industrial Relations Victoria, has continued to provide assistance to the parties in this dispute. What the opposition did

with respect to industrial relations and what this government has done with increased resources — —

Honourable members interjecting.

Hon. M. M. GOULD — The government has put on 2300 nurses. It is pleasing to see that the Australian Nursing Federation has agreed to lift all of its bans so that negotiations with the government can continue. I trust that the parties will be able to come to a satisfactory resolution.

The government has quite clearly indicated its position with respect to enterprise bargaining. When it conducts negotiations with any union it will ensure that it does so in an economically responsible manner and in a way that will ensure that services, especially the health services, are improved, given the cuts the previous government made while it was in office. The government's priority is to resolve this dispute. Discussions are taking place, and I am confident that a resolution to this dispute will be found very shortly.

Environment: greenhouse strategy

Hon. T. C. THEOPHANOUS (Jika Jika) — My question concerns a matter I believe is critical to Victoria, and particularly rural Victoria, and that is climate change.

Honourable members interjecting.

Hon. T. C. THEOPHANOUS — We probably need some climate change here at the moment!

Honourable members interjecting.

The PRESIDENT — Order! The house must allow the honourable member to put his question without interruption.

Hon. T. C. THEOPHANOUS — Will the Minister for Energy and Resources inform the house of what action the government is taking to ensure that all Victorians recognise the impacts of climate change and are provided with the information and services they need to understand and respond to the greenhouse challenge in Victoria?

Hon. C. C. BROAD (Minister for Energy and Resources) — I thank the honourable member for his question. I agree with the Honourable Barry Bishop that we do indeed need some rain. The Victorian government regards climate change due to the enhanced greenhouse effect as one of the most important challenges confronting our environment and community. The government is committed to making a

contribution to national and global efforts that are aimed at reducing emissions of the greenhouse gases responsible for climate change. The government looks forward to the federal government resolving its attitude to global action on climate change and moving forward in terms of Australia's contribution to this matter.

In order to address these issues in a balanced and responsible way it is vital that we seek to understand the implications for Victoria of changes in regional climate, while at the same time we provide services that promote energy efficiency and the use of renewable energy sources, and support technologies which produce less emissions of greenhouse gases. In order to deliver these outcomes, in June this year the Bracks governments provided the CSIRO with some \$450 000 over three years for research into climate change impacts and adaptation — —

Hon. W. I. Smith interjected.

Hon. C. C. BROAD — Wait for it! The research will particularly focus on the impact on Victoria and its regions.

An early focus of this work is to provide the most up-to-date scenarios as possible on the impact of climate change on regional Victoria. For example, preliminary findings suggest that the Ballarat region could experience an increase in the frequency of hot summer days from four days above 35 degrees now to between 5 and 17 days by 2070, and at the same time a decrease in the frequency of frosty winter days from around 10 days at present to between zero and 6 days in 2070. Those scenarios suggest that the impact on agricultural industries and on our water resources will be considerable. As well there will be other potential impacts on human health such as an increase in vector-borne diseases. Ongoing research will quantify those impacts in more detail and will start to identify potential mitigation measures and adaptation strategies. These are vital to our agricultural industry industries.

At the same time as this research is being conducted, the government is also continuing to reduce greenhouse gas emissions through — —

Hon. W. I. Smith interjected.

The PRESIDENT — Order!

Hon. C. C. BROAD — Wait for it! A wide range of activities is being undertaken by the Sustainable Energy Authority, an early initiative of the Bracks government. The Sustainable Energy Authority provides a network of Energy Smart advisory centres in major metropolitan and regional centres including Ballarat. I am pleased to

report that since the Bracks government established the centre in Ballarat in June 2000, more than 5500 residents of the area have accessed energy saving services and advice through that centre.

By providing the latest information on climate change and access to a range of services to promote energy efficiency and conservation for all Victorians, the government will have the best possible information and services to plan for the future. Those Bracks government initiatives demonstrate its commitment to a balanced approach to creating economic opportunities and delivering social and environmental benefits across the whole state.

Electricity: tariffs

Hon. R. M. HALLAM (Western) — Given the innovative way in which the energy distribution companies have reconfigured their tariffs during the phase-in of full contestability and the prospect of country consumers being left behind in the new market, I ask the Minister for Energy and Resources if the government has yet resolved whether a standard tariff for like customers within each distribution region shall be part of the model to apply from 1 January next year.

Hon. C. C. BROAD (Minister for Energy and Resources) — The Bracks government was elected with a strong commitment to deliver affordable and reliable supplies of power. Notwithstanding the environment this government inherited from the Kennett government's full privatisation of every aspect of Victoria's electricity supply system and the control of electricity supply through national markets, which are not under the control of the Victorian government, this is something of a challenge. However, it is a challenge which this government is committed to meeting.

To that end, the Treasurer will be introducing into Parliament during this sessional period a bill to create an Essential Services Commission. It will strengthen powers and ensure that the government's objectives in relation to electricity supply are pursued.

In relation to the specific matter raised by the Honourable Roger Hallam, there are fundamentals that are worth pointing out. There is absolutely no difference in the price that Victorians will be charged for their electricity or energy usage. Regardless of where they live in the state — whether in Ballarat, Mildura or Mallacoota — the energy charge Victorians must pay is completely unaffected by geography.

In relation to the distribution charge that is approximately the other half of the bill that customers

will pay and are currently paying, I think everybody is aware by now that the distribution network is a monopoly divided into five areas of the state. That situation will remain. Because the distribution businesses are operating as a monopoly they will be fully regulated by the Regulator-General and, following that, by the government's new Essential Services Commission.

Honourable members may recall that recently the Regulator-General made a price determination for the next five years. Built into that determination by the Regulator-General was a \$100 million subsidy to take account of the increased costs or higher costs of distribution in country and regional Victoria. That matter was much debated at the time the Regulator-General made his determination as the independent regulator. The prices have now been set for the next five years. They will continue to reduce, which is an important point: the prices will continue to decrease each year over the next five years.

In relation to forthcoming contestability for household and small business consumers, there is absolutely no difference between the energy charges that country and regional Victorians will pay compared with those paid by metropolitan consumers.

Rural and regional Victoria: sport and recreation funding

Hon. G. D. ROMANES (Melbourne) — Will the Minister for Sport and Recreation inform the house how increased funding and modification to program guidelines has assisted the development of sport and recreational facilities in regional and rural Victoria, with specific reference to the City of Ballarat and surrounding municipalities?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — No doubt honourable members will be well aware that the government is committed to providing opportunities for all Victorians to access quality sport and recreational facilities. As part of the government's strong commitment to the development of sport and recreational facilities, the total amount of funding available through the community facility funding program and the Better Pools program has been substantially increased by \$3.5 million a year.

Also, the government has recognised the difficulties faced by rural and regional communities in providing quality sport and recreational facilities. An important aspect for people present today to appreciate is that during its time the government has introduced a stepped funding ratio dependent on the type of municipality.

For example, in the minor facilities category a dollar-for-dollar ratio applies for rural councils compared with metropolitan councils that require \$3 for the government's \$1. That means that not only is there more money in the pot, but more will be available for rural communities to provide greater opportunities to develop much-needed sport and recreational facilities that they have previously been denied. That recognises not only the situation of sport and recreation in rural communities but also the need for the community to access the funds that may not have previously been accessible during the seven years before the Bracks government came to power.

Over the last two years Sport and Recreation Victoria has allocated over \$1 million for a variety of projects in the City of Ballarat and surrounding municipalities. The City of Ballarat has received funds for projects, including the completion of the regional athletics tracks at Llanberis Reserve; the redevelopment of the Central Reserve to provide Ballarat with a first-class playing surface for football and cricket; the provision of a learners swimming pool at the Eureka Pool; the upgrading of the rowing course at Lake Wendouree to enable Ballarat to be involved with the World Masters Games rowing; and the development of a regional skate park for the young people of Ballarat.

The Shire of Hepburn has received approximately \$190 000 for a number of community projects, including the upgrading of aquatic pools across the shire under the Better Pools program; the development of netball facilities at Lindsay Park in Creswick and the construction of a skate park facility at Daylesford.

The Shire of Moorabool has received approximately \$120 000 for seven projects, including the redevelopment of the Blackwood Tennis Club courts, the redevelopment of the Gordon Recreation Reserve and the development of a master plan for the Ballan Recreation Reserve.

The Shire of Pyrenees has received over \$80 000 for projects including priority works for aquatic facilities under the Better Pools program and the upgrading of Avoca Recreation Reserve for a broad range of uses.

As you can see from these examples, Mr President, rural and regional Victoria, which includes the City of Ballarat and surrounding rural municipalities, has benefited significantly from these allocations that have come from the Bracks government's recognition of the vital role that sport and recreation plays in the community in bringing people together and facilitating a strong sense of community in regional and rural Victoria.

Alfredton Reserve, Ballarat

Hon. I. J. COVER (Geelong) — I ask the Minister for Sport and Recreation to advise the house why the Bracks government rejected the application by the Ballarat Football Club for a 2001 minor facilities grant designed to assist the Alfredton community with developments at the Alfredton Reserve.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I thank the Honourable Ian Cover for his question. As you will appreciate, Mr President, the community facilities program and the Better Pools program are significant and contribute greatly to rural and regional areas. Members of the house will also appreciate that there is a competitive process involved in this, and the local councils in their respective regions make applications for these proposals. Some applications require more work, and it is a good start for them if — —

Honourable members interjecting.

Hon. J. M. MADDEN — Sometimes these applications require substantial work, and sometimes they are not competitive enough with the other programs put forward for the community facilities program funding. The opposition would appreciate the significant difference that this has made. As I articulated in my previous answer — —

Honourable members interjecting.

Hon. J. M. MADDEN — I acknowledge the behaviour of the opposition today. At lunchtime I heard some of the schoolchildren saying that they found the opposition to be a bit scary. When I look at opposition members and see their behaviour today I can appreciate why!

A number of applications are made over some years, and often the proposals get up with a little bit more work by the communities or with the assistance of local government.

I encourage those clubs in whatever region that may not have had their proposals approved to continue to apply and to put in the work required for the approval of their proposals.

Women: rural and regional entrepreneurship

Hon. KAYE DARVENIZA (Melbourne West) — Will the Minister for Small Business inform the house of recent research that has been commissioned in relation to women's entrepreneurial and small business activity in regional and country Victoria?

Hon. M. R. THOMSON (Minister for Small Business) — It is the GST that small businesses in regional and rural Victoria — —

Honourable members interjecting.

The PRESIDENT — Order! I ask the house to settle down to enable the minister's response to be heard.

Hon. M. R. THOMSON — The government has commissioned the University of Ballarat to undertake a study of women's entrepreneurial and small business activity in western Victoria.

It is important to recognise entrepreneurship and the need to encourage and sustain it if we are to grow economically, and it is also important to cater to the needs of women in respect of entrepreneurship. There is no doubt there are special needs for women, who are the major providers of child rearing. Women who have been out of the work force for some years may feel they lack confidence to start a business.

For a number of women, particularly in country Victoria, being able to develop a business and to work out how to do it is daunting. When it gets to the point of running a business, how do you go about employing people, what financial assistance is available and so on?

These are important issues for women running businesses. We must recognise the significant role women are now playing in the running of businesses throughout Victoria, but unfortunately we do not have a good picture of what the role is for women in country Victoria. We do not understand fully the sectors they are working in, the models they are operating under or the way they do business in country Victoria to enable it to expand and grow.

We hope the study will help raise awareness of the significant role women play in industry and small business in country Victoria. We must look at the way women operate and at the innovative programs they are putting in place in their businesses to make them work. We must develop an accurate profile of women's business activities in western Victoria and provide insights into the factors that contribute to women entrepreneurs succeeding in regional areas. This research will also identify the availability, accessibility and effectiveness of business support services. It will highlight gaps between those services and will also highlight the needs of business women.

Already focus group meetings have been conducted in nine country towns in western Victoria, and further meetings will be conducted. The research will be

important to ensure that communities support and provide encouragement for women to enter the business arena. It is vitally important that government, business and local communities recognise the contribution that women in business provide to make life easier.

Electricity: wind power

Hon. PHILIP DAVIS (Gippsland) — My question is directed to the Minister for Energy and Resources. Latrobe Valley power unions say that the Minister for Energy and Resources has no plan for coal generation. The Electrical Trades Union says that the minister has no plan, and it has imposed bans on new gas turbines. It is established that wind power will create many jobs and much economic activity in rural and regional Victoria. I ask the minister: where is her plan in respect to wind power?

Hon. C. C. BROAD (Minister for Energy and Resources) — I am pleased to have this opportunity to clarify what seem to be some misconceptions held by some very surprising people, given their close association with the power industry.

Since this government was elected we have made as one of our highest priorities paying attention to an area that was neglected under the previous government — namely, ensuring that there are adequate supplies of electricity into the future in this state. Very shortly after coming to government the Premier commissioned a task force on security of supply, which I chaired. Coming out of that report the government has taken a series of actions to ensure the security of supply into the future.

A very important part of that is ensuring that Victoria has adequate supplies to meet peak demand. Estimates of the supply needed to meet peak demand are made by the management company for the national market, Nemmco. It publishes a report which estimates on a 1-in-10-year peak demand requirement what supplies will be required with a reserve.

Gas-fired generation is a highly desirable source of power generation to meet that peak demand. It is vastly superior in terms of reduced greenhouse emissions and it is a virtually instantaneous source of electricity to meet unforeseen peaks in demand. For that reason the government has been active in facilitating private investment in gas-fired generation, and we are very pleased that as a result, in part of the government's efforts, we have seen more than 1000 megawatts in proposals for new gas-fired generation capacity for the state.

Renewable energy sources such as wind power are an important contribution now and for the future. The Premier was very pleased recently to open the new wind power farm at Codrington, now the largest wind farm in Australia.

However, sadly it is the case that wind power will never be able to meet peak demand requirements. It stands to commonsense for anyone who cares to think about it for a moment that wind power is generated when the wind is blowing. As a result it is not necessarily available to meet peak demand requirements, which is why the government is pursuing both sources of generation.

The government is very proud of its initiative to create the Sustainable Energy Authority, which is actively pursuing renewable sources of power. The Department of State and Regional Development is also very active in facilitating investment in environmental industries, including renewable energy industries, and in particular seeking opportunities for local manufacturing and local employment in manufacturing in environmental industries.

The government has plenty of plans for renewable energy generation in addition to ensuring that it has adequate supplies to meet peak demand requirements.

Hon. Philip Davis — On a point of order, Mr President, I am reluctant to raise a point of order given where we are today, particularly because it is not as conducive to deal with these matters in this chamber as it is in Parliament House. However, the minister did not respond specifically to the question. Certainly she responded to an aspect of the question, which was the preamble about comments from trade unions, but the minister was asked specifically: where is her plan in relation to wind power? There was no recitation from the minister about a plan for wind power.

The PRESIDENT — Order! I carefully listened to the minister's answer and I believe the answer was responsive to the question. Therefore, I will not uphold the point of order.

World Masters Games

Hon. E. C. CARBINES (Geelong) — Will the Minister for Sport and Recreation inform the house about the upcoming 2002 World Masters Games and how they will impact on the Ballarat subregion?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — No doubt members of this house are aware that next year Victoria will host the World Masters Games at venues in Melbourne and regional

Victoria. Participants from the ages of 25 to 100 will compete in of the order of 29 sports. It is anticipated that up to 30 000 people from interstate and overseas will converge on Victoria for this event. This will bring enormous economic benefit to the state as a whole as well as encouraging long-term participation in sport by our ageing community.

Ballarat will host rowing events during the games on Lake Wendouree. We all appreciate that is where the rowing events were hosted during the 1956 Olympics. It appears there will be teams and individuals from across Australia as well as from overseas.

I am also informed that there have been 1337 expressions of interest received to date from individuals interested in participating. That is some 14 months away from the games, which is a tremendous indicator of the likely success of the event.

Ten accommodation properties with the capacity of around 600 beds have been enlisted for the games and it is anticipated that as the games get closer more beds will be released by the local hotels. If additional beds are required locations such as Daylesford will provide a great alternative.

Coinciding with the announcement of the games has been the upgrading of the rowing course at Lake Wendouree. The course has been deficient for rowing events of all standards due to the short run-off areas and the lack of starting pontoons. This has now been remedied so Ballarat has a rowing course that is capable of hosting sub-elite events such as the masters games. I am pleased that Sport and Recreation Victoria was able to contribute a total of \$119 000 over the past two years to upgrade the course within the community facilities funding program. I also congratulate the City of Ballarat and its active rowing community on its efforts in upgrading the rowing course and securing the rowing event for the World Masters Games. Indeed, the games will take place in and around the South Street festival, which coincides with the games in October. No doubt Ballarat will be the place to be.

I encourage members of the community and members of the house to consider competing in events. I even encourage members of the Liberal Party to consider competing. They might even consider putting in a team.

Hon. T. C. Theophanous interjected.

The PRESIDENT — Order! Mr Theophanous knows the rules of the house. He will keep that publication to himself.

Hon. J. M. MADDEN — I would encourage even the Liberal Party to put in a team, even if their best chance of a medal has shot through!

QUESTIONS ON NOTICE

Answers

Hon. M. M. GOULD (Minister for Industrial Relations) — By leave, I move:

That so much of the standing orders as require answers to questions on notice to be delivered verbally in the house be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in *Hansard*.

Motion agreed to.

Hon. M. M. GOULD (Minister for Industrial Relations) — I have answers to questions 1497–1628, 1670–3, 1724, 1775, 1780–2, 1789–93, 1800–5, 1810, 1817–19, 1824, 1839–41, 1851–9, 1862–4, 1867–9, 1874–8, 1905, 1908–10, 1913–30, 1938, 1939, 1983–5.

Hon. ANDREA COOTE (Monash) — I seek an explanation from the Minister for Ports why questions 1866 and 1863 have not been answered. Can the minister give an explanation? I have written to her.

The PRESIDENT — Order! By way of explanation, when a question is not answered after 30 days, and an honourable member wants an explanation for why the question has not been answered, he or she contacts the minister prior to the sitting of the house. The honourable member has said that has happened in this case, so it is a matter for the minister.

Hon. C. C. BROAD (Minister for Ports) — I do not have the details of those questions in front of me, but I believe they were asked of me in relation to ministers in another place. If I am correct in making that assumption, I will endeavour to obtain answers from the relevant ministers in accordance with the requirements of this house as quickly as possible.

Hon. M. A. Birrell — On a point of order, Mr President, the minister may be mistaken in her answer. Unless I am mistaken, question no. 1863 from the Honourable Andrea Coote was asked of the minister in her capacity as Minister for Ports, and the question has not been answered. The numbers were read out rather quickly, but I do not think questions 1863 and 1866 have been answered.

Hon. M. M. Gould — Question 1866?

Hon. M. A. Birrell — Question 1866 was asked by the Honourable Andrea Coote of the minister in her capacity as Minister for Ports, not on behalf of another minister, on 12 June. Therefore the minister's response, which indicated that she thought it was on behalf of another minister, does not appear to be correct. I ask you, Mr President, to ask the minister to address the request of the honourable member — that is, to say why a question in her name to a minister in the minister's name has not been responded to within the time limit.

Hon. C. C. BROAD — Once again I do not have the details of this question in front of me, but if that information is accurate and it is an outstanding question in relation to my own portfolio, I will undertake to provide a response to the honourable member on the next sitting day.

The PRESIDENT — Order! Within the next 10 days?

Hon. C. C. BROAD — The next sitting day.

An Honourable Member — It's already overdue now! This is not good enough.

The PRESIDENT — Order! The position is that answers to questions have to be provided to the house. The next time the house sits is in September, so the answer is technically correct. That is the way it has to be done.

Hon. C. A. FURLETTI (Templestowe) — I, too, addressed some questions to the Minister for Industrial Relations. There are 15 questions, and they go back to 22 May. I wrote to the minister on 13 August, and I seek an explanation.

Hon. M. M. GOULD (Minister for Industrial Relations) — I did receive the letter from the honourable member, and they are answers from other ministers. I have made some inquiries and will endeavour to get those responses to the honourable member.

FUNDRAISING APPEALS (AMENDMENT) BILL

Second reading

Debate resumed from 20 June; motion of
Hon. M. R. THOMSON (Minister for Consumer Affairs).

Hon. C. A. FURLETTI (Templestowe) — Firstly let me say that it is a great pleasure to be here in

Ballarat for this historic sitting of Parliament. Like other honourable members I extend my gratitude and thanks to the people of Ballarat for the hospitality and welcome that they have extended to honourable members on this side of the house.

The Fundraising Appeals (Amendment) Bill amends the Fundraising Appeals Act. The opposition does not oppose the bill, but I foreshadow to the minister that it will propose an amendment relating to the granting of an exemption to kindergartens to section 16 of the act. I have had discussions with the minister, and in principle the opposition seeks that like schools, universities, tertiary education facilities and religious organisations, kindergartens be included as having a statutory exemption. I understand and accept the minister's response that the matter will be looked at, and that discussions will be conducted over the forthcoming weeks between today and the next sitting of Parliament with a view to resolving that amendment.

I also foreshadow that in the committee stage the opposition will seek clarification from the government about a number of the provisions in the bill.

The opposition consulted extensively with persons and organisations affected by the proposed amendments. Quite a number of concerns have been raised about the broad powers the director is given under the amendments, therefore it would be appropriate to seek clarification from the minister about some of those provisions. Given the discussions the opposition has had with the government, the committee stage will take place on the next sitting day.

Fundraising is an activity which extends literally throughout every aspect of our community. It is found within every element and every fibre which binds those in our community together, from birth to grave. It is a very significant element in the case of bush hospitals, community health centres, preschools, school councils, sporting clubs and too many others to enumerate. Fundraising is a vital part of our community activities. Unfortunately there is never enough money to satisfy the wish lists of all organisations and benevolent societies.

Australia is an incredibly generous community, and nowhere more so than in the regional areas where the fellowship of community is so strong. However, fundraising organisations are only one element of the support the community gives to its charities and benevolent organisations. The success of fundraising appeals would not be possible without the incredible contribution of money and goods and the time and effort of volunteers.

Members would be aware that the United Nations General Assembly has declared 2001 to be the International Year of Volunteers. Volunteers are the driving force, the engine, the heart and soul of fundraising initiatives and the charities that are such a vital element in all our communities. Like every member's electorate, Templestowe Province boasts an incredibly long list of very active and invaluable volunteer organisations. It would be a thrill to mention them all, but it is not realistic, given the time constraints we face today. These organisations exist in numerous community groups — the aged care organisations, the disability support groups and health and hospital auxiliaries, the kindergarten and school groups, the youth groups, the sporting organisations — the list goes on.

I wish to recognise the contribution and dedication of volunteers because they are such a vital and significant element of the fundraising to which this bill relates. I refer in particular to Australian Bureau of Statistics records which indicate that last year some 4.5 million Australians over the age of 18 participated in a volunteer activity. It is incredible that we are so cognisant of this need to help others and so ready with our time and effort.

That is the context of the Fundraising Appeals Act which this bill amends. The area of seeking to manage and control fundraising appeals is very complex. That was recognised in 1984 when as a result of some indiscretions and frauds the Cain government made the original effort to seek to manage and control fundraising and to set parameters within which fundraising appeals would be conducted. In his second-reading speech at the time, the then Premier, John Cain, indicated that this was a complex area, that the bill was an initial step and that amendments to the act would be needed.

It was not until 1998 — again, it appears, as a result of a number of instances of fraud and misuse of funds — that the then Attorney-General, Jan Wade, re-enacted the Fundraising Appeals Act in the form of the 1998 rewrite of the legislation. That was seen as an opportunity to ensure that the large number of organisations that were exempt under the Cain act was reduced and that there were fairly strict controls not only on organisations that could be involved in the conducting of fundraising appeals but also on the persons who could manage and supervise the collection and distribution of the funds.

At the time it was again recognised that the complexity of the area required subtlety. Indeed, in his contribution to the second-reading debate on the 1998 bill the

current Attorney-General said that notwithstanding the complexities and the need to balance the needs of the community, those who contributed, those who managed those appeals and the organisations and the control that government needed to have over the organisations, he congratulated the government on arriving at what he considered to be an appropriate balance. Unfortunately these matters are now revisited in a time of need.

As the minister identified in her second-reading speech, between the introduction of the 1998 bill and its commencement in 1999 a couple of areas have caused some concern, and the concerns are acknowledged as common ground. They are the need to preserve and maintain unequivocal public confidence in fundraising activities, that fundraisers be publicly accountable for their collecting activities and that as a result there should be greater scrutiny and monitoring of fundraisers. It is essential that there be transparency and accountability in fundraising appeals, that record keeping be strict and that public access to records be maintained with the ultimate goal, which is to maintain records of how the funds collected during the course of the appeal are dispersed.

It is also important that the entities involved in seeking money from the public be identified and to some extent vetted. The proposal before Parliament is to address each of those aspects of fundraising.

Since the introduction of the 1998 bill and its commencement the administrative burden of record keeping and notification of appeals et cetera has proven to be something of an overload to the many small communities that regularly engage in fundraising. It was recognised at the time of the second-reading debate on the 1998 bill that some 18 categories of exemptions were reduced to only 7, so the vast majority of would-be fundraisers were required to comply with the legislation. A year later following the current government's issue of some terms of reference which were represented in a discussion paper — the recommendations of which I am pleased to see the government has largely accepted — we have before us the Fundraising Appeals (Amendment) Bill in which there are substantial changes to the procedures for approval of fundraising appeals. Significantly the bill also addresses loopholes in the current legislation that allow shonky fundraising organisations to operate, and hopefully those loopholes will be closed.

As I indicated, the history of the fundraising act starts in 1984 when the Cain government passed an act to prevent the promoters of the appeal from syphoning off funds for their exclusive or predominant use rather than for the charitable purposes for which the appeal was

launched. Fundraising is a huge industry. As I indicated, some 70 per cent of Australians donate or contribute to charitable and benevolent organisations. The amount of money that goes through the hands of fundraisers is extraordinary.

The original Fundraising Appeals Act was introduced in 1984 because of the collapse of a couple of fundraising organisations and the discovery of misdirected funds, and it worked reasonably well until further instances of fraud came to light in the late 1990s. It should be stressed that there is no evidence of systemic abuse of the generosity of donors and that these instances of misappropriation and misuse are indeed rare, and for that we should be grateful. It is indeed the case that the bill comes before the house as a result of the misuse again of funds of the Disabled Children's Foundation. Honourable members may recall property was acquired at Aireys Inlet for the almost exclusive use of the promoters and administrators of the fund. As these issues and instances of difficulty arise, it is the responsibility of government to address the issues, and the opposition is pleased to say that it agrees in principle and substantially with the bill before the house today.

The main purpose of the bill affects the two areas where the difficulties were identified, as I indicated earlier. The first is the area of the management and control of those involved in fundraising predominantly, by establishing a registration system for fundraisers and by imposing restrictions on those individuals who may become involved in fundraising through management or supervision. It is extended to include also associates of individuals who are involved in that way. Those amendments are intended to alleviate some of the administrative burden and red tape for those smaller organisations which are so actively involved in fundraising.

The second principal purpose is to eliminate, as I said, those shonky fundraising appeals through the further enforcement of the law against doubtful appeals. The bill introduces a provision to enable Consumer and Business Affairs Victoria to go out on the front foot when some instances of doubtful activity are discovered and come to light, and to issue warnings and make public statements about those doubtful appeals and the people and promoters behind them.

Unfortunately the conundrum exists whereby every dollar that is collected for a charity or organisation is a dollar that that organisation did not have before. Sometimes the cost of collecting those funds far exceeds the norm. Indeed, in the course of the opposition's consultation one organisation indicated

that 45 per cent of the money collected went on costs and 35 per cent was paid to collectors it engaged to conduct the appeal, leaving 20 per cent for it. Some would say that that is pretty well the usual case. The purpose of the bill is to ensure that the funds that are collected are collected for the organisation. The opposition will be looking very much at the power of the director in the registration of fundraisers.

As to the mode of application of the new laws by the director of Consumer and Business Affairs Victoria, the opposition will be seeking to identify the parameters and criteria the director will use in determining what proportion of funds raised are distributed, and in which way the parameters of cost versus benefit will be identified by the director.

The bill is another effort towards ensuring that the funds donated by the community will go to the purposes for which they are donated, not to those who are in between the ultimate beneficiaries and the donors of the funds. The opposition trusts that the bill will achieve those outcomes. I look forward to negotiating a satisfactory resolution to the amendment to be proposed in the committee stage by extending the exemptions to kindergartens and obtaining an explanation from the minister on those areas of discretion that are given to the director through the bill.

Hon. G. W. JENNINGS (Melbourne) — It is with great enthusiasm for a number of reasons that I join the debate at this historic sitting of Parliament in Ballarat. This region is near and dear to my heart, my having graduated from Trawalla Primary School and Beaufort High School. The Ballarat region means a lot to me. I have spent many a rain-sodden, wind-swept afternoon on the playing fields of Golden Point, on Redan Oval or on Llanberis Reserve. As part of the Beaufort High School rowing eight I had the glorious experience of rowing on Lake Wendouree. It is difficult on some occasions to ascertain which of the sporting venues I have mentioned contained the most water! As I said, I have spent many happy but exhausting rain-sodden afternoons in Ballarat.

After I left home my family moved to Ballarat to make it their home, and they still live here. A reference I and my family can provide for the hospital care available at Ballarat base hospital is that on a number of occasions my mother and father have faced losing their lives only to return from that precipice at that hospital. This community is near and dear to me, and is a vital part of my ongoing life.

The centenary of Federation and the sesquicentenary of the discovery of gold in Victoria is an excellent

opportunity for Parliament to come to Ballarat today. This building is a legacy of and this part of Victoria is a direct beneficiary of the discovery of gold and the flourishing economy of Victoria in the 1850s. It is totally appropriate that the first occasion of the Victorian Parliament leaving Melbourne to hold a sitting should be in this town hall; and that the other major contributor to the growth and prosperity of the state, Bendigo, should today host a sitting of the Legislative Assembly.

We are confronted within this very room by a portrait of the members of the Legislative Assembly from another era, and it is one of those rare occasions when members of the Legislative Council are facing members of the Legislative Assembly, because quite often we are the forgotten members of the Victorian Parliament.

The success of today's visit has provided an excellent opportunity for us to explore democratic institutions as we know them in Victoria and to extend and explore the boundaries of interaction between the people of Victoria and their representatives. In that context the bill is important because it provides the legislative and regulatory framework that will provide a degree of confidence to the people of Victoria in supporting the significant role that volunteers in community organisations play in our state.

This is the International Year of Volunteers, so it is very appropriate for the Parliament of Victoria to provide some regulation and support for the community sector, the community organisations and the volunteers who work assiduously on behalf of the community each day to ensure that there is a degree of confidence in the way they go about fundraising activities. Victorian citizens can have a degree of confidence that was somewhat lacking in the past when providing donations to these organisations. They will know the money they donate will result in a net benefit to those sections of the community and those causes to which they wish to contribute.

As opposition members have said and as Mr Furletti indicated in his contribution, in the last few years there have been a number of instances in Victoria of confidence being eroded by shonky organisations — to use the phrase used by Mr Furletti — abusing the rights and privileges under the current regulatory regime in Victoria. Some public donations to these organisations have resulted in a private benefit to a number of people within those organisations, and the distressing concerns often underlying the generous spirit of donations have not been alleviated. This bill will add to the confidence members of the Victorian community can have when

they make a donation to a worthy cause. They will have some degree of certainty that the generosity of their spirit is appropriate to the net result of making a difference to a cause that is near and dear to their heart. It is consistent with the approach that the Bracks Labor government has taken in adopting the legislative framework in Victoria. We do not believe in doing things open slather or regulating the Victorian statutes to the hilt so as to cripple business and community activity. However, we believe an appropriate legislative and regulatory framework should underpin social and economic activity in Victoria.

The history of the Kennett regime will show that an appropriate regulatory regime was deserted. The previous government deserted it in a number of areas — failing to satisfy the rights and obligations of consumers of electricity and gas in the utility sector; and deserting the regulatory regime that applied to the transport system in Melbourne, particularly the City Link proposals, which provided no guarantees or safeguards for Victorians about whether fines would be inappropriately imposed on them for travelling along roads that were previously free to travel on.

This bill is consistent with the 180 acts the Bracks Labor government has brought to the people of Victoria. There has been a consistent approach in providing the appropriate regulatory regime for social and economic activity. The opposition cannot accept the point that the government and the Parliament of Victoria must provide an appropriate degree of accountability in carrying out its obligations to the people. It must ensure that both the business community and community organisations play their appropriate roles.

Hon. G. R. Craige interjected.

Hon. G. W. JENNINGS — Mr Craige, I have no problem in engaging in debate — —

The DEPUTY PRESIDENT — Order!
Mr Jennings, through the Chair!

Hon. G. W. JENNINGS — Thank you, Mr Deputy President. As you know, I am a shy and retiring type and very reluctant to engage the opposition in debate, but the truth hurts — that is, the Kennett regime deserted the appropriate regulatory environment.

The bill replaces the current system which requires organisations to notify specific and individual appeal mechanisms and replace them with a mechanism that will provide for an ongoing registration system and which allows for exemptions within that registration regime. The heart of this legislation will provide that

there is a rigorous registration system that ensures that any organisation that goes to the community to seek donations has an obligation to be registered and have its activities monitored by the state through the Minister for Consumer Affairs and the director of her department so that there is an appropriate registering and monitoring regime.

The bill provides for organisations that are either small in size or have demonstrable, rigorous accounting practices to be exempt. The way the bill does that is for the minister or the director of her department to ensure that small organisations that have low thresholds of fundraising capacities — ones that go to the heart of small voluntary organisations — are not overburdened with a regulatory environment. They must be either registered or granted an exemption by the minister. At all times an appropriate accountability regime must be in place.

During its contribution to this debate the opposition raised legitimate concern about whether there should be a formula or a cap for the appropriate level of administrative costs incurred by organisations and whether that should be part of the legislation. The government has not adopted that approach at this time, but is alive to the issue. The minister and her department will closely monitor whether there is appropriate compliance with the spirit of the legislation and to ensure the maximum correlation between the dollar donated and the net result.

This measure is worthy of debate and consideration, and for the government to be alive to legitimate concern. It is alive to it. The minister and her department have not chosen to do so at this time on the basis of the huge variation in the size, capacity and administrative regime that applies within the fundraising sector. There is a wide range of small organisations where one would expect no administrative overheads. But one can understand that there are many large fundraising organisations that advertise on television and through the media. There is an ongoing effort to elevate their cause in the public domain. Sometimes there is concern about how much money is expended in raising the money, and that is the reason the minister believes it is difficult to be overly prescriptive in making that determination.

The bill allows for the minister and the department to make assessments whether organisations are appropriate to be registered. The director of her department is entitled to make contact with the Chief Commissioner of Police or her representative to provide information about whether the major players within these organisations are appropriate to be engaged in

fundraising activities and whether they have a track record in dubious financial arrangements. On that basis they will not be allowed to be registered under the act. The bill outlines the appropriate level of power for the director to call on that information from the Chief Commissioner of Police.

It is also appropriate within the scheme of the bill that when the director or the minister determines that organisations are behaving in a fashion which is dubious or warrants further examination those organisations may be deregistered and appeals terminated. It is probably in the capacity of the bill to allow the director to make a public statement, go on the public record, appear on the 6 o'clock news and say that the appeal should be stopped because its operation is shonky. The bill provides the director with the mechanisms and appropriate legislative power to say, 'This appeal will cease now' and gives him or her the power to divest the funds.

In the example given of an organisation raising money in the name of disabled children and syphoning it off for private benefit, this bill, which up until now has not been in existence, will provide the state with the power to secure assets that have been inappropriately used and divest them to the beneficiary that was originally the nature of the charitable donation in the first place. In the example given, if the money were given to disabled children, once it had been secured it would be divested by the state to an appropriate charitable organisation that deals with the field.

As members of the Victorian community will understand, it is appropriate for the state to have the power to provide a degree of confidence that money will not end up in the hands of private individuals and to restate the degree of confidence that the original donation will end up in the appropriate quarter.

Of course any piece of legislation that comes before the people of Victoria should have an appropriate appeal mechanism, and this bill has the capacity for appeals to the Victorian Civil and Administrative Tribunal if people believe they are inappropriately dealt with by the minister or a department.

Hon. C. A. Furletti interjected.

Hon. G. W. JENNINGS — I am happy to say that that may be a significant part where the opposition and the government agree in terms of the environment in which this legislation should operate.

I am pleased to hear that all sides of the political equation within Victoria, and I have great confidence that the good citizens of Ballarat for their part, want to

ensure that while the state comes down with a firm fist on those who act inappropriately, there is always an appeal process available to those who believe they have been unfairly treated by the state and that there is another side to the story that may not have been heard.

This registration allows for all incorporated associations in Victoria to be registered. It allows for incorporated associations that may be registered in other states also to be roped into our legislation by making sure that each organisation from another state designates a responsible person who will be on the Victorian register — that is, a Victorian citizen will be on our books to make sure we maintain accountability and create a degree of confidence about how the fundraising regime will work in Victoria.

The whole nature of volunteer and community organisations is important to the Victorian community and the nation. The Bracks government believes wholeheartedly in the appropriate level of partnership between government and the community sector involving local government and the business community to make sure that appropriate financial and commercial relationships exist between the state, community organisations, local government and the volunteer sector.

It believes this piece of legislation will provide some additional support to community organisations because there will be a heightened degree of confidence within the Victorian community that the end point of their donations will accord with their generosity of spirit and original intent of making those contributions.

I understand that in the past 24 hours the federal Treasurer has made a call for volunteers, reviving the spirit of volunteers that we otherwise would not have realised we had lost. People are speculating on the reason the federal Treasurer is interested in doing that. It comes with the direct intent of removing from the public purse and from state or federal governments — shifting it for other people to pick up — the responsibility for what under traditional circumstances may have been the appropriate role of the state. Some people in Ballarat may think the federal Treasurer has been calling for volunteers because there is a vacancy within his party. It will be a recurring theme within the federal electorate of Ballarat for some time.

This morning when we arrived in Ballarat I was excited about the prospect of this bill being passed this afternoon. Of the 550 or so principal acts and the 1000 or so amending acts that provide the suite of statutes within Victoria, not one has been passed outside Melbourne by any Victorian Parliament. This

was the opportunity for the Legislative Council to pass the first bill to add to the Victorian statutes. It is a tragedy that the opposition does not want to take the responsibility for the passing of the bill. The historic opportunity will be lost.

Hon. Bill Forwood — Accept the amendment.

Hon. G. W. JENNINGS — The amendment arrived today and the bill has been on the notice paper for the past two months. The great tragedy is that this opportunity will be lost. It is yet another opportunity for the Legislative Council to have a good look at itself in terms of the way it — —

Hon. G. R. Craige — And you should, too.

Hon. G. W. JENNINGS — I constantly reflect on my contribution to the Victorian Parliament, and I encourage all opposition members to do the same. The great disappointment for the people of Ballarat and the Victorian community is that the historic opportunity will be lost today, as all members of the chamber know. That is disappointing.

Honourable members interjecting.

Hon. G. W. JENNINGS — I do not mind, but it is an opportunity that we have lost. In my contribution I said the chamber has lost the opportunity. If the opposition is sensitive to blame labelling, that may be its problem. However, unfortunately it is a problem for the chamber and the Victorian people, because there have been a number of occasions when this chamber, whether it sits in Melbourne or in Ballarat, has taken the opportunity to appropriately alter the Victorian statutes in the past few years.

The opposition believes the Legislative Council can sit on its hands and remain sitting on its hands, and that is a disappointing example to provide to Victorians. The fundamental issue is about whether it steps up to the challenge of a modern democracy. That is the issue I am concerned about. That is an opportunity that has been lost. Whether this debate finishes today or back in Melbourne, it is important that the legislation will add to the Victorian statutes that are sitting on the centre table. Hopefully we will make a positive contribution.

I will be very happy when the legislation is passed by this house, and I support the legislation brought to the table by the minister because, for the reasons I have outlined about the appropriate regulatory regime, it will add to the Victorian statutes and will provide a degree of confidence to Victorian citizens about the outcome of donations that they make to fundraising organisations. It will add to the confidence they have in

making a real difference to the lives of those people they intend to help by making a donation. For that reason I will enthusiastically support the minister's legislation, whether it is passed in Ballarat or in Melbourne. In many ways it would be a tragedy if it were not passed in Ballarat, but I support the legislation nevertheless.

Hon. P. R. HALL (Gippsland) — On behalf of my colleagues in the National Party I am pleased to speak on the Fundraising Appeals (Amendment) Bill and indicate that we will be supporting the bill. From the outset, I restrict my comments entirely to the bill, unlike the Honourable Gavin Jennings, who seemed to make only passing reflections on it and who commented on a whole range of issues extraneous to the bill that we are supposedly considering.

The last point raised by the Honourable Gavin Jennings cannot be let slip through without further comment. The Bracks government has set up a group called the Constitutional Commission, which is reviewing the role of the upper house. Probably all honourable members have taken time to look at the documentation that the Constitutional Commission has published throughout which the role of the Legislative Council as a house of review is discussed. I would have thought that if somebody comes to this house with a good idea and asks for it to be considered by the house, it would be entirely appropriate for the Legislative Council, as a house of review, to give serious consideration to any worthwhile idea put to it.

The Honourable Gavin Jennings has criticised an honourable member — or a group of people — in this house for bringing before it a worthwhile idea to be considered as part of proposed legislation. That criticism is unwarranted. Our role as a house of review should be to take on board ideas and comments to see whether or not they should be incorporated in legislation. I would say the action is entirely appropriate, and I commend the Honourable Carlo Furlletti for bringing the amendment before the house. If it means that we do not pass the legislation this afternoon, so be it! Surely our role is to review legislation, take on board ideas and ultimately produce good legislation. That is our ultimate aim; not purely to get legislation through as quickly as possible. The National Party rejects those comments made by the Honourable Gavin Jennings, and its members are happy to act in a responsible way to operate this house as a house of review and to consider further the ideas put to us by the Honourable Carlo Furlletti.

That being said, I turn to some other aspects of the bill. As outlined by the Honourable Carlo Furlletti, the

Fundraising Appeals (Amendment) Bill does three things: it establishes a registration scheme for certain fundraisers; it strengthens enforcement provisions that will help prevent unscrupulous fundraising; and it establishes a public register of fundraising organisations. Each of these measures will assist in improving public confidence in fundraising.

The bill does not address the many questions associated with fundraising undertaken by methods of highway collections. Honourable members all know that is one of the real problems with fundraising. As members of Parliament we have all received representations at various times about the authenticity of the credentials of people involved in highway collections. I noted when listening to the minister's second-reading speech that deletion of that aspect was deliberate and that it will be the subject of a separate review. I welcome that. Perhaps in response the minister might advise me as to how that review process is being undertaken. When I had a look on the department's web site I did not find any reference to a review of fundraising by way of highway collections.

I would be interested to know how that review is being undertaken and how it is proceeding. It is important early in the debate for people to understand what fundraising is. Most of us have a concept in our minds about fundraising being a whole range of activities to raise funds for various clubs, organisations and charitable groups, but in terms of the Fundraising Appeals Act and the amending bill I will refer to section 5 of the principal act to define fundraising. The bill states that a fundraising appeal occurs if a person solicits or receives money or a benefit. It is not a sausage sizzle, a raffle or a car wash undertaken by organisations to raise funds. Fundraising as it applies to the bill is purely the appealing for or solicitation of a direct financial contribution.

It is interesting to note the level of fundraising and donations that exist in this country. As part of my research into the bill I was interested to read a recent article in the *Herald Sun* by Rhonda Galbally, which stated that Australians give more than \$2 billion a year to registered charities. People donate a huge amount. It is interesting to note further the extent to which various organisations rely on fundraising. For example, Anglicare Victoria receives government funding of about \$23.57 million, but on top of that it fundraises just over \$3 million itself. The Smith Family gets government funding of only \$100 000, yet including donations and bequests it fundraises \$7.9 million a year. Certainly the majority of its funding comes through fundraising. The Salvation Army receives government

funding of \$148.5 million, but fundraising or trading brings in an extra \$90.9 million.

The extent of fundraising and donations to charitable organisations in Victoria and Australia is significant. It is important to have legislation that controls and regulates it to prevent any fundraising which might be illegal in some respects or which does not hold the confidence of the public more generally. Section 18 of the existing act requires a notice of intention to undertake a fundraising appeal. It requires details of the names of the persons conducting that appeal, and also requires the consent of the intended beneficiaries. It also gives the minister power to veto an intended appeal. The bill will change that system from one of notification to a system of registration. Proposed new section 17A requires a fundraiser to be registered, and the bill sets out details for seeking registration. However, it still requires the consent of the intended beneficiaries as part of the registration process.

Proposed new section 18C refers to exemptions, and I want to turn to the issue of exemptions quickly. Section 16 of the principal act sets out those organisations that are exempt. They are principally educational and health institutions. The National Party agrees with the proposal of the Honourable Carlo Furletti that kindergartens should also be exempt from the requirements of registration set out in the bill. It welcomes the comments of government members, who have indicated in discussions preceding this debate that they also support that principle. Honourable members will need to go through how that principle is enacted — whether it is put into the legislation or done by regulation. The National Party is willing to participate in the debate between now and when the bill is in the committee stage to further consider how that intent, which is shared by all parties, is met.

I note in the second-reading speech that the minister intends by regulation to exempt those organisations which fundraise less than \$10 000 a year and use volunteers to do so.

The National Party welcomes that intent. It looks forward to the information that will be forthcoming in the regulatory impact statement as there are a few unanswered questions. I know some students who are actively fundraising in order to participate in a worldwide environment conference for students. The school is not undertaking the fundraising, the students themselves are, and it may be that they need to raise a significant amount of money to cover air fares and accommodation. I am not sure if they need more than \$10 000 but they need a significant sum. Will those groups also be exempt under the regulatory provisions?

I guess those issues will be canvassed as part of the regulatory impact statement. Some types of fundraising activities should be appropriately canvassed through the RIS process.

Finally I indicate that the National Party has consulted widely with various charitable and professional fundraising organisations about this bill. The comments the National Party has received have been very favourable. In a letter dated 22 July Anglicare said:

As a reputable agency we support the intention of the existing act and envisage no difficulties associated with the proposed amendments which seek to establish a registration system for fundraisers and a mechanism for the issue of public statements in relation to appeals.

I have not had time to canvass all aspects of the bill but the provision for public statements in relation to appeals is important. I think it will become section 70B of the act and I certainly support the measure. Melbourne Health said in response to National Party consultation on the bill:

We believe that the bill has merit, that the provisions are workable, and that it should contribute to achieving better management of the fundraising arena.

Those are the sorts of comments the National Party received in response to its consultation on this bill. The bill appears to have the general support of people who may be affected by it in some way or another. The National Party looks forward to further debate and clarification of the exemption of kindergartens before the committee stage but in general it is happy to indicate its support for the bill.

Hon. E. C. CARBINES (Geelong) — I am delighted on the occasion of this historic sitting of the Legislative Council in Ballarat to speak in support of the Fundraising Appeals (Amendment) Bill. As an honourable member for Geelong Province I pay my respects to the Wathaurong elders for their very warm welcome this morning. I would also like to thank the city and citizens of Ballarat for making all honourable members and officers of this house so welcome. I am grateful for the opportunity to participate in such an historic occasion. I know each and every one of us will always remember this very special day in the history of the Parliament of Victoria.

It is appropriate that today we debate a bill that seeks to protect the interests of one of our most endearing characteristics as a nation, the desire by Australians to help out wherever and whenever we can. The generosity of Australians is renown. Many Australians give selflessly to charitable organisations and fundraising activities in the spirit of community benefit

and wanting to make a personal contribution. Victorians certainly play their part in this. The bill before the house aims to amend the Fundraising Appeals Act 1998 to remove the administrative burden placed on the fundraising activities of small volunteer community organisations and, importantly, to tighten the enforcement provisions designed to prevent unscrupulous fundraising appeals which prey on the very generosity of Victorians.

Prior to the 1999 election the Australian Labor Party made a commitment to review the principal act in relation to these matters. I commend the Minister for Consumer Affairs for her work in bringing this important bill before the house. Its passage will deliver another of the Bracks government's promises to Victorians. Public consultation undertaken by the department of the Minister for Consumer Affairs has indicated broad support for this bill.

The DEPUTY PRESIDENT — Order! Mr Smith, you are out of your place!

Hon. E. C. CARBINES — It will exempt small community organisations from the requirement to notify government of their fundraising activities. The second-reading speech clearly outlines the intention to exempt from registration small volunteer organisations that raise less than \$10 000 in a given financial year. In this International Year of Volunteers I know the passage of this bill will be welcomed by many thousands of Victorian community organisations which, through the dedication and commitment of volunteers, raise funds for the benefit of the whole of the Victorian community.

In my electorate of Geelong Province there are numerous examples of such community groups. Although it is impossible to acknowledge each and every one of the Geelong volunteer groups I will acknowledge today the wonderful work of the Geelong Volunteer Resource Centre, managed so well by Michelle Jokic.

Members of this house may remember receiving earlier this year from the Geelong Volunteer Resource Centre a letter containing a blue and orange lapel ribbon to wear in recognition and acknowledgment of the volunteer groups in their electorates. I am very proud today to be wearing my ribbon in recognition of the Geelong volunteer groups. This initiative of the Geelong Volunteer Resource Centre has become an international symbol for this very year, so I congratulate the centre on its achievement and all it does to promote and assist volunteers in the Geelong community.

I will acknowledge a few more of Geelong's volunteer groups. Recently I had the honour of representing the Minister for Police and Emergency Services at a function to launch the Mannerim Rural Fire Brigade's new Quick Attack vehicle. For more than 10 years the Mannerim brigade has raised funds towards the purchase of its new vehicle by holding garage sales and other activities. It is a significant achievement for a small community group, and the Bracks government was very pleased to match the funds raised by the Mannerim brigade to allow the purchase of the vehicle this year.

The Drysdale bone marrow donor registry recycle shop has 15 committed women who regularly volunteer their time to raise money for that very worthy cause.

The Lighthouse Foundation operates a clothing shop in Moorabool Street, Geelong. The shop is staffed by volunteers from the Geelong community, and it raises funds for homeless youth in Geelong. Through the magnificent work of Deidre Slater and her dedicated volunteer team, some of Geelong's most disadvantaged young people are provided with a home base from which to complete their secondary education.

The Bellarine Historical Society, yet another volunteer group in my electorate, works tirelessly to preserve and promote the history of the Bellarine Peninsula. I was pleased to meet yesterday with that group, which has more than 40 enthusiastic members who raise funds to assist in the upkeep of their home, the Drysdale courthouse, which dates back to 1880.

It would be remiss not to mention the Geelong Cancer After Care Group, a very active volunteer organisation that provides much-needed assistance to cancer sufferers and their families as well as raising funds to donate to the Geelong Hospital's oncology unit.

It is interesting to compare the level of volunteerism in regional Victoria with that in Melbourne. As a member of Parliament who represents a regional electorate I am proud to acknowledge that in regional and rural Victoria one person in every three volunteers at least part of every week to assist their communities, compared with one in every six Melburnians. Rural and regional Victorians know and value the importance of community volunteering. The passage of the Fundraising Appeals (Amendment) Bill will remove the administrative burden that the principal act placed on small volunteer community groups, thereby supporting their future fundraising efforts.

The second part of the bill aims to protect the generosity of the Victorian donating public and to

prevent unscrupulous fundraising. A registration scheme for fundraising appeals will be established by the Director of Consumer and Business Affairs. The director will have the power to impose conditions on fundraising appeals to ensure that a specific percentage of money raised is given to the beneficiaries of an appeal. I know Victorians feel strongly that when they donate to an appeal they want their donations to go to the cause they have chosen to support, not to be swallowed in administrative costs or salaries. Unfortunately, under the present legislation disreputable organisations can raise large sums of money from the public but pass on only small amounts to the intended beneficiaries. The house has heard honourable members outline some of those shonky schemes. As a result of the Fundraising Appeals (Amendment) Bill Victorians will have more confidence that the money they donate will actually go to the charitable cause, as they would expect.

Further, the bill establishes a public register of fundraising organisations and their appeals, which will be accessible through the Internet by all Victorians. It also allows the Director of Consumer and Business Affairs to refuse registration of a potential fundraising appeal and thereby further protects the integrity of the public donation system in Victoria.

Reputable organisations can only benefit from the passage of the bill. It will drive out dodgy fundraisers who prey on the generosity of Victorians, thereby reducing the proceeds of genuine fundraising appeals. In this the International Year of Volunteers I congratulate the Minister for Small Business on her determination to assist and support small community volunteer groups and their fundraising efforts by removing the existing administrative burdens. Importantly, I congratulate the minister on her preparedness to take on disreputable organisations that use the public sympathy, generosity and community spirit of Victorians to their substantial benefit. I commend the bill to the house and wish it a speedy passage.

Hon. W. I. SMITH (Silvan) — I take this opportunity to thank the City of Ballarat and the citizens of Ballarat for their hospitality today on this historic sitting of Parliament. I also pay tribute to one of the great Premiers of Victoria, Sir Henry Bolte, who lived not far from Ballarat. Henry Bolte's grandparents were German and experienced Prussian oppression in Germany. They came here in 1850 and settled near Skipton, not far from Ballarat. They had 12 children, and Henry was born in Ballarat on 20 May 1908.

I shall address the history and some of the issues involved in fundraising; I shall also detail my concerns about the bill. It is difficult to get the full picture about fundraising. Fundraising and charity work are essential in our society to assist people to lead fuller lives. Often people for no fault of their own need financial assistance so they can lead fuller lives and achieve greater potential. One of our roles in society is to help people who need this financial assistance. Many people give financial support and do voluntary work in the community. Often the support is given anonymously by people who do not want recognition.

It is important to protect the funds raised to ensure charity funding goes to the sources to which it was intended. This bill is a consumer-protection bill. It is about trying to ensure that the funds raised go to those areas that people have given to. Its aim is to maintain public confidence in fundraising by requiring fundraising organisations to be publicly accountable for their fundraising activities. Broadly the bill requires the identification of persons or bodies who raise more than \$10 000 a year from the public for charitable persons, and they are to be registered by the government.

I will give the house some idea of the fundraising activities that occur in Victoria. They include door-knock appeals, telemarketing, traffic intersection collections, donations to clothing bins, sales of goods at opportunity shops, appeals run by commercial fundraisers, public appeals to support a club, an association or an environmental or community cause, public appeals to support a cause, a person or a group of persons, and the selling of goods where portions of the sale price are donated to a charitable organisation or cause.

Today the charity business is big business, and because it is big business some people involved in it run scams and are shonky. No-one has a handle on how big the charity business is in Australia. I will give some examples. The *Herald Sun* did some investigations, and on 30 June ran an article that stated it thought the business involved around \$2 billion a year. The Australian Bureau of Statistics (ABS) has been looking at charitable organisations in Australia to try to come to terms with how big the business is and who is involved in it. It says:

It is not known exactly how many charitable organisations exist in Australia, and estimates vary depending on the definition used. A recent industry commission inquiry into charitable organisations ... estimated that ... there were between 10 000 and 11 000 charitable organisations in Australia receiving government funding. The number operating without government funding, and relying on volunteers and public donations was unknown.

...

The Productivity Commission estimated that the major source of funding ... was from direct government payments (\$2.7 billion).

...

Financial donations to charitable organisations from the Australian community (individuals and businesses) were estimated at \$580 million.

Importantly many of these organisations in our community are run by volunteers and voluntary groups. As I said, the figures are very difficult to collate, but a 1995 ABS survey on voluntary work found that around 800 000 Australians aged 15 years or over are involved in some kind of voluntary work in our community. They provide over 100 million hours of voluntary labour per year which would be equivalent to around 48 000 people working 40 hours a week. It is an important industry for the people in our community who need it.

The *Herald Sun* of 30 June ran an article about the charity industry being a big community. It states:

A healthy economy and the federal government's removal of donation disincentives such as capital gains tax on bequests have fostered a growing culture of giving.

Michael Walsh from Givewell charity consultants said Australians were giving more and more to charity in line with growing community awareness of the widening gap between rich and poor and our ageing population's drain on the public purse.

The bottom line of this particular *Herald Sun* article is that:

79 per cent of donors would give more if they were sure their money would end up in the right hands.

Two-thirds of Australians believe they are being ripped off by charities.

68 per cent believe their money never reaches the people who need it.

Despite this donations to charities have risen 17 per cent and bequests have jumped 14 per cent in the past year.

We know there are around 5000 charities in Australia. They spend about \$4 billion a year and employ about 133 000 people. Charities are part of the 11 000 non-profit organisations receiving government assistance. In total, the non-profit sector employs about 600 000 people. About 50 charities operate on budgets in excess of \$10 million, but the vast majority have five or fewer staff and operate on budgets of less than \$100 000. It is big business, and it is important that we protect the consumer to ensure the money goes where it should be going.

The *Age* of 5 December 2000 reports that small businesses are a major contributor to fundraising. It states:

Rob Bastion, head of the Council of Small Business Organisations in Australia, agreed — but he said a survey of business and community leaders, yet to be released, indicated small businesses contributed more than \$1 billion a year to non-profit organisations, and invested double that amount in other ways.

That has been my experience. What goes unsaid is that businesses in our community give philanthropically and do not want to be recognised, and are not. I speak from personal experience. I have set up a foundation in my electorate for kids who fall through the cracks, such as secondary school students who cannot afford to stay in our state school system. Businesses donate money for a small scholarship, where the students are able to pay for their fees, school uniforms and books. I have 10 schools in my electorate, and businesses have managed to give 60 scholarships to 4 schools and are about to give 70 scholarships to 5 schools in the next month — \$400 is enough for a 14 or 15-year-old to stay at school.

About 10 or 15 students in my electorate in outer eastern Melbourne cannot afford to stay at school because their parents do not have the money to pay for their school uniforms. Businesses in my community are funding this program, and most do not want to be known. I had a trust come on board that said, 'We will fund 10 scholarships for 10 students at the Upwey Secondary College to keep them at school, and we will also give five music scholarships to five gifted kids who have music ability but cannot afford to pay for their tuition'. The trust does not want any recognition, and certainly does not want the names of the members of the trust to be announced. It is hard not to be moved by the number of people in the community who are quietly helping people just because they want to give back.

I express concern with proposed new section 23A. I understand the intent of the bill is consumer protection. I have spoken about the proposed section with a number of large foundations. One was the Felton bequest, which has not commented, but foundations that handle requests of that size have made comments to me, which I shall place on the record. Proposed new section 23A states:

Without limiting section 19C or 23, the Director may impose a condition requiring that a registered fundraiser must ensure that either in any specific period, or over the course of a fundraising appeal, a specified percentage of the proceeds of the appeal must be distributed to the beneficiaries of the appeal.

What are the criteria, conditions and specific period? Do they change? How does one define what is the correct percentage for distribution? What are the criteria for determining the percentage?

A well-known foundation expressed concern about the percentage of fundraising and the manner of distribution being acceptable. For example, the Silvan Foundation, in which I am involved, distributes every cent to the students. Not one cent from the donor goes to administration, it all goes to the students. However, other reputable foundations use donations for administration, training or salaries for delivering programs that will have an effect. How does one determine what is or is not correct? Should there be criteria for what is or is not acceptable? What are the criteria for implementing the proposed new section? One bank, which handles a lot of foundations in trust, said of the proposed provision:

The assumption underlying the condition is that funds are always collected for immediate distribution to beneficiaries and the immediate distribution of such funds is a demonstration of a 'just' outcome.

This may not always be the case.

Fundraising appeals are conducted for a variety of purposes and over varying periods of times. Purposes may be:

1. for immediate distribution to beneficiaries;
2. to fund a particular project;
3. to purchase fixed assets or necessary equipment for the organisation, or to accumulate funds for such equipment or assets;
4. to grow the corpus of a fund or foundation which may have been established as an income generating arm of the organisation or charity.

I raise these points because I am sure the minister will take them on. As I said, the intent of the bill is consumer protection and to stop criminal elements in fundraising, but it is important that the legislation does not catch legitimate fundraisers.

In conclusion, fundraising and charity work are essential activities in our community and in a caring society, and Australia is a caring society. I never cease to be moved by the generosity of the human spirit and the people who live in Australia. I commend the bill to the house.

Hon. JENNY MIKAKOS (Jika Jika) — It is with great pleasure that I rise to make a short contribution to the debate on the Fundraising Appeals (Amendment) Bill, and to indicate my very strong support for the passage of this bill, hopefully later today. As other

government members have already indicated, there is a great need for this legislation to be passed as soon as possible.

The state government has sought to implement a pre-election policy of seeking to review the Fundraising Appeals Act 1998 to tighten a number of enforcement provisions, as it has become quite clear that some unscrupulous fundraisers are currently circumventing the provisions of the act. In order to conduct this review, the government released a discussion paper in November of last year and obtained a number of written submissions. There appeared to be widespread support by small charitable organisations for an exemption for small community-based fundraising organisations, which is reflected in this legislation.

In making this short contribution, at the outset I note the historic nature of this sitting, and I am pleased to be able to make a contribution here. Although the Premier of Victoria is sitting in Bendigo today, as a Ballarat boy I am sure his heart is in Ballarat.

The reason I am supporting this legislation and the very timely nature of this debate is the fact, as a number of speakers have already indicated, that this is the International Year of Volunteers. The Victorian government has sought to recognise and commemorate the occasion through a number of events, and I have also been involved at a local level in my own electorate. I am pleased to have been able to pay tribute at events organised at a local level to the many voluntary and charitable organisations that do a lot of good work for the people in the northern suburbs of Melbourne that comprise the seat of Jika Jika. I know that other honourable members would share my sentiments in this respect by indicating in the debate that they also recognise and acknowledge the fine work carried out by those organisations for the citizens of Victoria.

As I said at the outset, concerns have been raised by some sectors of our community at the unscrupulous conduct of some fundraisers. The bill will provide for a registration regime and enforcement mechanisms, including a provision for public warnings to be made to ensure that funds that are raised for charitable organisations make their way to the intended recipients of those charities.

I will not go to the provisions of the bill in any great detail as other government members have already done so, but I believe the registration system is good in that it will provide for a publicly accessible register that members of the public can access — for example, through the Internet. It will assist many voluntary organisations because people are suspicious and not

willing to donate to organisations of which they may not be aware. People tend to contribute to the well-known charities, but when it comes to smaller, locally based organisations they may be unwilling to hand over a small contribution because they think the organisation might be shonky and are not sure where the funds will end up.

I am certain that legitimate charitable and volunteer not-for-profit organisations will welcome the passage of the legislation. I urge members of the house to ensure its speedy passage because it will assist such organisations in their fine work. The provision of a public register will enable people to check the legitimacy of those organisations and they will feel more confident in making contributions to them.

As honourable members would be aware, the bill provides for exemptions to be made, as was the case under the principal act. The minister is able to make a ministerial order to exempt organisations. As was stated in the minister's second-reading speech, it is anticipated that small volunteer organisations that raise less than \$10 000 gross in a financial year will be exempted. That is the reason the government has taken the view that the opposition's proposed amendment is not necessary as kindergartens fall within that proposed exemption because their operations are fairly small scale and would raise less than \$10 000 gross in a financial year.

The second-reading speech also states that the minister is looking at other possible exemptions where organisations already provide for a level of accountability back to the Victorian Parliament, such as their accounts being scrutinised by the Auditor-General. The provisions in clause 9 of the bill in no way affect the current exemptions that apply to state schools, state school councils, universities, technical and further education or TAFE colleges, religious organisations, and a number of other organisations listed in section 16 of the Fundraising Appeals Act 1998.

I will comment more specifically on clause 9 as it inserts proposed section 16A(8), which refers to the Subordinate Legislation Act. As a member of the Scrutiny of Acts and Regulations Committee I always take some interest in bill provisions that refer to that important legislation. Ordinarily I would be concerned about any changes to legislation that provided for exemptions or some other power to be delegated through the act to a minister other than by regulation.

The bill will seek to repeal a provision in the current act that allows a person to be exempted from having to comply with all or any part of the act by means

prescribed in regulations. As I indicated, this provision will be replaced by another in clause 9 that will allow the minister to declare an organisation to be exempt by ministerial order.

In the past the Scrutiny of Acts and Regulations Committee — and in particular the Regulations Review Subcommittee, which I have the honour to chair — has raised concerns about delegated instruments, which are not able to be scrutinised by the Parliament and by the SARC. In this instance I am not concerned because proposed section 16A(8), inserted by clause 9, deems a ministerial order to be a statutory rule and therefore a ministerial order is able to be scrutinised by the SARC and able to be disallowed by the Parliament. This is an important provision which the opposition would need to take into consideration. If opposition members are concerned that the proposed mechanism for exempting organisations is not compassionate in regard to kindergartens and small organisations, through the disallowance mechanism they would be able to have some input at a later date when those ministerial orders are tabled before this house.

It is important that the opposition notes that through this disallowance mechanism its members will be able to review continually the operation of the Fundraising Appeals Act in the future and the effectiveness of the minister's orders, as they will be made from time to time and then tabled before the Parliament.

Having made that point, I will conclude my remarks because I know a number of other speakers also wish to make small contributions to the debate. I welcome the passage of this legislation. As I said, it will assist a number of small charities to do their fine work to support the citizens of Victoria and I am pleased to be able to support the bill.

Hon. R. H. BOWDEN (South Eastern) — I thank the council of the City of Ballarat and its people for welcoming the Legislative Council today, for facilitating this historic sitting of Parliament and for the hospitality extended to us. The City of Ballarat and the surrounding area is similar to the beautiful regional area that I have the privilege to represent. I understand the community's interest and appreciate it very much.

The Fundraising Appeals Act 1998 was a significant advance in the improvement and control that was necessary to make sure that the intent of those who generously provide funds for important charitable work is properly used. There were unfortunate incidents where generous gifts were not able to be applied through acts of people who could not be supported. Therefore the legislation of 1998 closed a lot of

loopholes and went a long way towards improving public accountability and identifying those unfortunate instances. The Australian community is most fortunate, particularly in our great state of Victoria, to have a high degree of public confidence in the works and gifts that are provided through charities and through various voluntary organisations. In this International Year of Volunteers it is appropriate and fitting that we further improve the ability to deliver the charitable works that are so enthusiastically contributed to by volunteers.

The bill has two major features: an improvement in the registration process and specific deregistration provisions that will further enhance the effectiveness of the intent of those who provide charitable donations.

Clause 10 goes a long way towards improving identification. It is important that charities and people who do good works are able to be identified from a registration point of view. The identification process will correctly and accurately identify those persons who are not able to understand the spirit and who take advantage of their fellow citizens, so that appropriate deregistration proceedings can proceed.

As in Ballarat, there are a large number of highly respected, effective, enthusiastic and valuable organisations in my province. It is impossible to name all those organisations, but they include substantial clubs that do wonderful work, such as Rotary, Lions and Apex; hospital auxiliaries; and the major charities that have been mentioned by preceding speakers. It is wonderful that our community is so generous. Through the bill and the amendments to the 1998 act we are able to protect and further enhance the delivery of the services provided to our fellow citizens.

It is good that there are exemptions to the legislation. It is fitting that we are able to work toward a system that will intelligently reduce the administrative load when it is not required. It is often the fine detail that provides difficulties for volunteers. The bill improves the provisions and helps many organisations that do not need extra administrative difficulties placed in their way. The provision that organisations with less than \$10 000 gross per annum are exempt on the basis that they have volunteers is a good feature of the bill. That is very helpful. The accountability provisions are good.

In his presentation the Honourable Gavin Jennings did neither the bill nor the house a service. He said that we should rubber-stamp and push this bill through today. As a member of Parliament I do not believe that is appropriate. This is a house of review, and I congratulate my colleague the Honourable Wendy Smith, who made a positive contribution. She pointed

out a potentially serious difficulty with proposed section 23A and said it requires further scrutiny. She made a positive and worthwhile contribution to the spirit, the intent and the role of the upper house, pointing out that we are indeed a house of review. We are not here to rubber-stamp Legislative Assembly legislation. We are here to review and, if necessary, amend.

I conclude by saying that it is fitting that highway collections are being reviewed. They are important to many organisations, and I would like to see a positive outcome. I do not want to see the elimination of highway collections. They should continue, with appropriate support and regulation. It is important to retain public confidence in the charitable works done by so many people who contribute to the quality of life in our society under the heading of volunteerism.

Therefore, with public confidence and accountability enhanced through the bill, it is my pleasure to support it.

Hon. G. D. ROMANES (Melbourne) — I am very pleased to speak on the Fundraising Appeals (Amendment) Bill on this very historic occasion in Ballarat. Like other honourable members I thank the mayor, the councillors and the citizens of Ballarat and especially the elders of the Wathaurong tribe who greeted us and gave us a very warm welcome this morning.

In considering the elements of the bill before the house I realised that I have had a very long involvement and interest in fundraising. I turn to consideration of the various components of the bill firstly as a donor. As the Honourable Bill Forwood said, 70 per cent of people in this state donate to different charities and not-for-profit and community organisations. I am sure many of the people in this room are regular donors to one cause or another.

Hon. Bill Forwood interjected.

Hon. G. D. ROMANES — It was not you? Sorry Mr Forwood; it must have been the Honourable Philip Davis. I have a commitment to putting aside a regular proportion of my income to make a contribution to charities and community organisations dedicated to helping people in need. Like those of many people present today, my family has been involved in fundraising of various kinds, through kindergartens, schools and other groups.

In my case I have been a longstanding member of various local Community Aid Abroad groups wherever I have lived in the country and the city. I also have a

background of having worked in a position of management and financial responsibility with Community Aid Abroad in the 1980s — as state director of that organisation. In that position I had responsibility for 100 Community Aid Abroad branches throughout the state. Those branches raised funds and worked with their communities to raise awareness of needs in other parts of the world and encouraged people to support those causes. As state director of Community Aid Abroad I was also responsible for the activities of professional fundraisers employed by the organisation and for various other events and activities of the organisation.

I subsequently moved into the position of overseas program coordinator for Community Aid Abroad and travelled to various parts of the world including Africa, Central America, the Pacific and Aboriginal communities in Australia looking at projects to which funds from that organisation were directed. Therefore I have had direct experience of working with the beneficiaries of funds raised in Australia to support groups in need elsewhere. In that role there is a need to address the issues of how much is a reasonable amount for administration, for travel and for considering what is a good project worthy of support as opposed to how much of the funding should go directly to the beneficiaries.

The various elements of my background include being a citizen and donor, a volunteer fundraiser in various community capacities along with my family, a person responsible for raising funds at an institutional level and being accountable for those funds to the donors and members of that organisation, and someone who actually distributed those funds in the field of overseas aid.

I am therefore aware of a range of issues raised under the term 'fundraising' that are pertinent to the debate today. One issue of critical importance is the integrity of the fundraising organisations and of the people who raise funds within those organisations or who, as members of an organisation, represent it in the community. Reputation is the no. 1 important quality that any fundraiser — be it an organisation or an individual — needs to guard jealously. Charities and not-for-profit organisations and community groups depend on their reputations for their future success. So if through the improvements contained in the amendments put forward by the government this bill maintains confidence in fundraising in our state and introduces an act which is beneficial and works better for all those concerned — donors, beneficiaries and those who are administering the funds and working to gather those funds from the public and to encourage

participation from the public — it will have served a good purpose and will improve the fundraising climate in our state.

As I said, tied up with the issue of integrity and reputation is the issue of making a judgment according to the agency, community group or organisation concerned as to the reasonable costs for staging fundraising events, for undertaking direct appeals, for travelling to identify projects and assess and evaluate different programs. Therefore it is important that as part of any fundraising regulatory framework there is provision for accountability and transparency in the costs of those allocations to administration, to travel, to assessment, to the evaluation of what the organisation or fundraisers are doing and to the allocation, on the other hand, to the beneficiaries of those funds. So transparency and accountability are very important, but in addressing the need for an improved regulatory framework in the bill, there is a need to strike a balance and to make sure that in doing so, those with the energy, enthusiasm and desire to raise funds across this state are not burdened with administration, bookkeeping, reporting and all those other requirements that discourage such involvement and activity.

Since the Fundraising Appeals Act was introduced in Victoria in 1998 there has been a growing concern about, firstly, the burden of administration in some areas and also the fact that there are, as other honourable members have mentioned, unscrupulous people who are prepared to exploit loopholes and to undermine the good things that are happening in the state.

As honourable members would be aware, the government has carried out public consultations on fundraising. As a result of those consultations, needs have been identified, as reflected in the bill before us, to exempt small community fundraising organisations and branches of some larger federated bodies from the requirement to notify government of their fundraising activities. That particular reference is to small organisations that raise under \$10 000 per annum and consist of volunteers.

In order to strengthen the act and to ensure that unscrupulous people can be tracked down, the bill puts in place a registration system for fundraising bodies which will be administered by the Director for Consumer and Business Affairs. In that registration system there is a requirement to identify the beneficiaries of any fundraising and, if they cannot be identified, to identify the benevolent purpose for which the funds are being raised. There is a requirement to nominate a contact person for inquiries from the public

so that the organisation can be accountable to the public. There is a requirement to nominate who will be managing and financially responsible for the fundraising activities.

The bill contains a provision for exemption from registration by an order of the minister. That can be implemented more quickly and flexibly than under the current regime, which provides for exemption by regulation. There is provision also for the strengthening of enforcement powers. In particular there is provision for a naming power, so that a public statement could be made to identify and give warnings to particular fundraisers about non-compliant or disreputable fundraising organisations or practices.

The bill contains a provision for establishing a public register of fundraising organisations and requires that at the time of registration police checks will be undertaken of fundraisers and persons in organisations who will be involved in fundraising activities. The bill also makes it possible for a condition to be attached to a fundraising organisation or person who is registered to ensure that a specified percentage of the funds raised will be passed on to beneficiaries.

As I said, it is important to strike a balance between the need for a regulatory framework and protection of the public with the ongoing encouragement of acts of altruism, by not making administrative requirements too onerous. The bill will help in that process by maintaining confidence in fundraising in this state and in so doing will strengthen the fundraising contribution that citizens of Victoria make to helping others in need across the state and across the world. I commend the bill to the house.

Hon. E. J. POWELL (North Eastern) — Before speaking on the bill I would like to put on record the National Party's thanks to the City of Ballarat for its hospitality, and especially to the mayor of Ballarat, Cr David Vandy, for hosting the Legislative Council of Victoria and for his very strong support of our visitation to the city of Ballarat.

As the Honourable Peter Hall has already stated in his contribution, the National Party will be supporting the bill. As Mr Hall also stated, it did consult widely. Mr Hall wrote to many welfare organisations and church groups and the response was quite favourable. For that reason, the National Party is happy to support the bill.

The bill has a number of purposes, with the major purpose being to amend the Fundraising Appeals Act 1998. It also establishes a registration system for certain

fundraisers and a public register of fundraising organisations, and it exempts a number of categories of fundraisers such as those raising less than \$10 000 each year.

The bill imposes a number of restrictions on who may have managerial or financial responsibility for a fundraising appeal. A number of other provisions in the bill better control fundraising appeals and make the organisers more accountable for the public money raised. The bill includes a number of other provisions, including new reporting and record-keeping requirements.

The former Attorney-General, Jan Wade, introduced legislation for reasons similar to those set out in the second-reading speech. Problems then existed in the fundraising area, with condemnatory media reports being made about certain fundraising organisations that were not doing the right thing. That caused quite some public concern. When people donate to a charity they want to be sure that the amount of money raised actually goes to the organisation or charity they think should receive it. The Minister for Consumer Affairs has raised concerns about public accountability and the public risk that could be associated with some fundraising organisations. The former Attorney-General was keen to ensure that public confidence was restored and that money supposedly raised for organisations actually went to those organisations. In 1998 the proceeds from Victoria's 6000 clothing bins amounted to about \$38 million. That was a large amount of money raised by Victorians and given to charitable organisations. Charity is now a huge, billion-dollar enterprise.

Extensive consultation took place before the principal legislation was introduced in 1998. The act came into operation on 1 July 1999. Free information sessions were held across Victoria, including the one I attended in Shepparton. It was run by the then Victorian Office of Fair Trading and Business Affairs. A number of concerns expressed at that meeting resulted from community members considering such things as the procedure for notification of fundraising events, requirements for record keeping, canvassing by telephone or electronic means, and the issuing of identification badges. I will talk about that later. Another issue discussed at the meeting was the use of collection receptacles and clothing bins. After attending those seminars a number of people visited my office because members of Parliament had asked community groups to consider the major issues involved in fundraising.

The volunteer groups in particular were concerned. I remember a number of Rotary groups asked me to address their meetings about what would change after the passage of the bill. Also concerned were Lions clubs and a number of other service clubs of volunteers that raise quite an amount of money for charity. Over the space of a year they have many fundraising events, but at the time they do not necessarily nominate whom they are raising funds for. Sometimes they will be asked for, say, \$500 to send somebody overseas to represent a specific organisation.

The Victorian branch of the Country Women's Association (CWA) was also concerned. It said some of the restrictions and administrative burdens imposed would have led to it ceasing its fundraising. Because of its concerns I contacted the appropriate office and asked for a copy of the notice of intention to conduct a fundraising appeal. I and a number of members of Parliament decided the provisions in the form were onerous. I am pleased that the bill changes a few of those impositions on small volunteer groups.

The form I received indicated that small fundraising organisations, such as the football and netball clubs that conduct appeals within their own organisations and among their own members, did not have to apply for a fundraising appeal notice. Their own members, past and present, and their relatives and acquaintances, may have been involved. If a club were conducting, say, a sausage sizzle or was having a chocolates and lamington drive, it did not have to go into the full gamut of completing the fundraising forms.

When I looked through a copy of the appeal form — and I almost had to do a 'Please explain' to a number of Rotary clubs — I found there were a number of onerous conditions in it that volunteer groups had to comply with. One of the questions asked was, 'Where will the appeal take place (geographic location)?'. Some small organisations like the CWA thought that was too much, and they were getting quite angry. A statutory declaration and a police record check also had to be filled out and signed. I am pleased that those conditions are now being looked at and fixed up so people will no longer have to comply with them. It makes more commonsense just to apply for a registration once a year, and in some instances fill out a form, which is not quite as onerous.

The fundraising bodies also told us as members of Parliament that sometimes they were so successful in their fundraising that, although they only needed to raise \$800 for equipment for the hospital, they raised double that amount and decided to give the remaining money to another organisation. The forms and the

legislation as they were did not allow for that, but it will now be okay to do that because anybody raising under \$10 000 will be exempt.

I understand from the minister that the application form will be much simpler to fill out, and I have asked her to keep an eye on it to make sure that it does not place a burden on the communities that raise more than \$10 000 but are not able to fill in the form or perhaps pay for somebody to do it for them. The application will be made much more simple.

There was also some confusion about name tags and identifying the people who are fundraising. We were told that the name tags need only have the name of the person collecting the funds and the organisation to which they belong. They also have to identify whether the person is a volunteer or is gaining money from fundraising. This bill before the house addresses some of those concerns.

I understand the Honourable Carlo Furletti on behalf of the Liberal Party has brought in an amendment to exempt kindergartens from the legislation. The National Party supports that policy. I know the government is concerned about a number of issues regarding accountability, and we are happy to talk about those sorts of issues and come to a conclusion. The National Party is pleased to support this bill.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 agreed to.

Clause 2

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I place on the record my gratitude to the City of Ballarat and Cr David Vandy for their hospitality. I am pleased that the fundraising bill is before the house while we are in Ballarat, because it goes to the very sense of community we have here.

It is important when dealing with fundraising and voluntary organisations that we get the balance right and that we have faith and confidence in the organisations and institutions to which we donate. We must also ensure that people do not abuse the trust. It is fundamental to the way society works to encourage people to contribute to charities and to encourage them to contribute their own labour to voluntary organisations. We must ensure that the fabric which

makes our community so special is protected by legislation. We believe this legislation will do that with fundraising and charities.

Thousands of voluntary organisations in the Victorian community work tirelessly for their communities, and we do not want to add to their administrative burden in carrying out their tasks. I do not believe there is one person in this place who has not spent time on a committee working for a voluntary organisation. They know it is hard enough to get people to find the time to maintain an organisation, let alone deal with unnecessary paperwork.

We believe there should be an exemption by ministerial order for those charities and organisations that fundraise on a voluntary basis and raise less than \$10 000. They should not have the onus or burden of supplying the state government with information about when they fundraise, the method by which they fundraise and the exact location of the fundraising activity. They should be left alone to go about their tasks. We should acknowledge their contribution to their local communities because without them we are all worse off.

The government will make it much easier for those organisations and voluntary groups that work tirelessly for their communities to run their fundraisers, do their jobs and service their communities without the burden of legislation.

It has been brought to the attention of the government, and the government is concerned about it, that people manipulate new legislation to line their own pockets. We do not want to line the pockets of people who say they are fundraising for a charitable purpose but whose intent is to utilise the majority of that money for themselves. We all know of particular incidents, particularly the one that has been talked about today, the case of the Disabled Children's Foundation, which sounded like a fantastic and worthy organisation to which to contribute. However, as we discovered on investigation, that was not the case. This group raised just over \$600 000 and built a house worth \$200 000 which was supposed to be available for disabled children. Unfortunately the house did not have a ramp or any of the facilities required for disabled children.

We certainly do not want to see those organisations getting a foothold in Victoria. The legislation will strengthen our capacity to catch those disreputable organisations that are the scum of the earth because they feed on the goodwill of our community and bring

down the charitable organisations that are doing good work.

The CHAIRMAN — Order! It is 5.00 p.m., which is the time for the adjournment debate. When the committee meets again the minister may continue on clause 2.

Debate interrupted pursuant to sessional orders.

BUSINESS OF THE HOUSE

Adjournment

Hon. M. M. GOULD (Minister for Industrial Relations) — I move:

That the Council, at its rising, adjourn until Tuesday, 18 September.

The PRESIDENT — Order! Before putting the question I would like to take this opportunity of expressing thanks to a large number of people who have ensured the success of today's proceedings.

I particularly thank the mayor, Cr David Vendy, for his enthusiastic support for this whole project, and the chief executive officer, John McLean. Many months ago when I first came to see Mr McLean about this project, before I had the approval of my colleagues, he was enthusiastic and had no doubt about the support of the mayor and the councillors.

I also thank Ian Effrett, the civic affairs manager; Denise Tuppen and Cindy Teggerth of the civic affairs department; Robbie Cullenward and Le-anne O'Brien from the City of Ballarat media unit; Marg Park, Kerrie Gunsser and Cookie Riddiford, of customer relations; Robert Swanton, who helped out with our parking needs; Jeff Greave, with IT assistance; and Norm Hand and Errol Camillery, the attendants. I met Norm on our first visit. Again, he was enthusiastic about what we were going to do to his beloved area of activity.

I would like to thank Prime TV for its very professional operation and the quality vision that it has provided throughout the building, and Craig Butterworth of Sound and Light Concepts for his assistance in that regard.

I now move on to members of the Legislative Council, particularly to Dr Ray Wright, who has taken the task of overall coordination and planning over many months. He has made many visits to Ballarat, and his professional approach has been evident in the outstanding success of today's events. I thank the Clerk, Wayne Tunnecliffe, who has overall responsibility, and

Dr Stephen Redenbach from our special projects office, who produced this excellent publication. For those who have not read it, I commend it to you. It is a first-class publication which will be a collector's piece.

I extend thanks also to the Housekeeper, Bill Jarrett, and to his team; to my orderly, Geoff Barnett; to officers from Hansard; and to the parliamentary librarian Bruce Davidson and his team.

Hon. M. M. GOULD (Minister for Industrial Relations) (*By leave*) — Mr President, I concur with your sentiments and extend thanks to the City of Ballarat for hosting the Legislative Council here today. In particular, once again, I thank the mayor of Ballarat, David Vendy, for his opening of his city to the Legislative Council on such a day. We need the rain, and it is fantastic that it has fallen today.

I also thank the chief executive officer and the people of Ballarat, who have shown great courtesy and interest in seeing the operations of the Parliament during the course of this special sitting day.

As I said earlier today, I thank the Parliament as a whole, Ray Wright and the Clerk for their contribution, and the attendants, for assisting in running this first day of sitting efficiently. I also thank the opposition parties and the leaders of the opposition parties, Mark Birrell and Peter Hall, for their support on this special day and their cooperation in allowing the day to run as smoothly as it has.

Hon. M. A. BIRRELL (East Yarra) — Like you, Mr President, and the Leader of the Government I would also like to thank the mayor and the senior staff of the City of Ballarat. I also thank the people of Ballarat for turning up and showing such keen interest before this event as well as afterwards.

Mr President, you deserve our congratulations on conceiving and organising this event. We welcome it; it has been a great success. Your Clerks and the Usher of the Black Rod, Dr Ray Wright, have served you well in putting this together. While the logistics were not impossible, they were hard and, more importantly, they were new. I hope that what comes out of this is a template that can be used on future occasions.

I thank the staff of the Parliament for what they have done. I note as well the success of Hansard in being able to record these proceedings without amplification and not being in the chamber. That could be a model for the future as well. That is a special message to them.

I hope this can be the first of many meetings of the Legislative Council in rural and regional centres in

Victoria. Today's success is a strong indication that this should not be the only time that Parliament meets outside Spring Street. The opposition will certainly strongly support the idea of the Legislative Council meeting at least once a year in a rural or regional centre — in places such as Geelong, Benalla, Warrnambool, Shepparton, and the many other places where the Legislative Council could meet. Over the coming months we look forward to all political parties in this chamber working together to ensure that this is an annual event at least, and that we can all secure the benefits of making Parliament more accessible in a physical sense and more relevant as a result of the action that has been kicked off today.

Hon. P. R. HALL (Gippsland) — Mr President, on behalf of my colleagues in the National Party I endorse your remarks and those of the Leader of the Government and the Leader of the Opposition in thanking everybody for the arrangements today. It has been rather easy for us. We rocked up here at 9 o'clock and everything was in place for us. Obviously a lot of preparation has been undertaken by many people to make the day the success it has been.

I particularly thank David Vendy and his fellow councillors and John McLean and his staff of the City of Ballarat. We appreciate the ongoing work of all the Legislative Council staff who always carry out their duties in an exemplary way.

Unlike Parliament House, where everybody scurries and hides in their little cubbyholes and offices, one of the great attractions that I have enjoyed today has been the open atmosphere where we have been in party rooms close together. We are all in the same corridor and we have seen a lot more of each other. That has been beneficial. Better still, we are about to enjoy some hospitality together. The National Party has had a ball today and recommends that this continue in the future.

Motion agreed to.

ADJOURNMENT

Hon. M. M. GOULD (Minister for Industrial Relations) — I move:

That the house do now adjourn.

Ballarat and Ararat: opinion polling

Hon. D. McL. DAVIS (East Yarra) — I refer the Leader of the Government in her own capacity, and also in her capacity as the representative of the Premier, to the community cabinet visits to the City of Ballarat

on 27 November 2000 and to the Rural City of Ararat on 19 October 2000. The Leader of the Government will be aware that in many cases prior to community cabinet visits extensive public opinion polling is undertaken in those municipalities and that public opinion polling ascertains community attitudes and opinions and in many cases forms the basis of the government's decisions about the issues in that particular municipality as they relate to service delivery. This polling is undertaken at public expense and is funded entirely by the Victorian taxpayers. The polling, therefore, should be used to improve the delivery of government services within the specific municipalities in which it is undertaken.

In this context I ask whether such community opinion polling was undertaken in the City of Ballarat and the Rural City of Ararat prior to the community cabinet visits there. If such polling did take place in both those municipalities will she, the Premier or the government make that polling available to the municipalities to improve their service delivery?

Corrections: Beaufort parolees

Hon. D. G. HADDEN (Ballarat) — I raise with the Minister for Sport and Recreation, as the representative of the Minister for Corrections in another place, the release in around May this year of three convicted child sex offenders by the Adult Parole Board into the small rural township of Beaufort, which has a population of 1300. The three parolees were released into public housing accommodation directly opposite the Elizabeth Watkin Kindergarten and a public children's playground.

The Adult Parole Board states in its annual report of 1999–2000 that in making its decisions about a prisoner's suitability for parole it considers the interests of the community, the position of the victim and the sentencing court's intentions, as well as the needs of the prisoner. Therefore I have two questions for the minister.

Honourable members interjecting.

The PRESIDENT — Order! One question only is allowed.

Hon. D. G. HADDEN — Firstly, will the Adult Parole Board in its report to the Minister for Corrections, and as requested by the minister, address the issues raised with respect to the Beaufort matter to the minister's satisfaction; and secondly, what changes and improvements have been made on this most important part of a prisoner's rehabilitative program?

Hon. M. A. Birrell — On a point of order, Mr President, the honourable member would know that two matters cannot be raised by a member during an adjournment debate; only one can. I ask you to direct her that she should either confine herself to one question or somehow change her question.

The PRESIDENT — Order! The honourable member should choose one of those questions. They seem to be quite distinct issues.

Hon. D. G. HADDEN — I have a second question, which I have omitted, and there were two parts to the first question.

The PRESIDENT — Order! Just repeat that part of the question.

Hon. D. G. HADDEN — Did the Adult Parole Board in its report to the Minister for Corrections, and as requested by the minister, address the issues raised with respect to the Beaufort matter to the minister's satisfaction, and what changes and improvements have now been — —

Honourable members interjecting.

The PRESIDENT — Order! Clearly there are two different issues. I will permit the first one.

Deer Park bypass

Hon. ANDREW BRIDESON (Waverley) — I raise an issue for the attention of the Minister for Energy and Resources, as the representative of the Minister for Transport in another place. The matter relates to the construction of the Deer Park bypass. I raise this issue on behalf of the constituents of Ballarat, who are losing out as a result of delays in regard to this issue.

The development on the fringes of Melbourne, which now extends to Caroline Springs, has seen a reduction in the speed limit on the Western Highway to 90 kilometres per hour. This has added at least 20 minutes per day to the travelling time for Ballarat motorists who commute to Melbourne. While I acknowledge there is a safety issue, I make the point that it is adding to the time Ballarat constituents travel along the highway. I am advocating the prioritising of the construction of the Deer Park bypass, which would not only make the road safer but would reduce travelling time.

Failure to construct the bypass also means increased transport costs, which will harm regional growth and development from Melbourne to the South Australian

border. I urge the Minister for Transport to resist pressure from his assisting minister, Bob Cameron, who has lobbied to have money diverted from the Deer Park bypass to the Calder Highway. It needs to be noted that the Howard federal government has poured at least \$100 million into the Calder Freeway. I request that the Minister for Transport tell the people of Ballarat what priority he is giving to commencing the Deer Park bypass.

Clifton Springs Bowling Club

Hon. E. C. CARBINES (Geelong) — I raise a matter with the Minister for Sport and Recreation and Minister for Youth Affairs, and in doing so note that this matter involves all his individual portfolios. The Clifton Springs Bowling Club is seeking support for an initiative of theirs involving the Drysdale campus of the Catholic Regional College. Members of the Clifton Springs Bowling Club have offered to volunteer their time to coach the students of the college in bowls. The college is keen to incorporate bowls into its curriculum, and there is much enthusiasm for this great initiative. However, assistance is sought for the purchase of 10 sets of small bowls for the sole use of the students.

I would appreciate the minister's consideration of this request in the interest of youth, sport and recreation on the Bellarine Peninsula.

Grief education seminar

Hon. B. W. BISHOP (North Western) — My adjournment issue is directed to the Minister for Small Business, representing the Minister for Health in the other house. A constituent has brought to my attention an advertisement that appeared in the *Adelaide Advertiser* on 23 June about a seminar for grief education. The seminar is to be held on 10 September and run by the Centre for Grief Education, a service which is funded by the Department of Human Services, Victoria. The costs of attending the seminar range from \$231 to \$264, depending on whether one is a member of the Centre for Grief Education, a non-member, or able to pay early.

My constituent was concerned about why a Victorian department would hold a seminar in Adelaide when there would be demand for it in Victoria. My constituent also wondered whether the department was doing it as a fundraiser. In any event it sounded a bit strange. I might add that my constituent belongs to the organisation Friends of Palliative Care, which under the leadership of a remarkable woman, Cas Driscoll from Robinvale, has raised enough money to build a palliative care unit attached to the Robinvale hospital.

Obviously the organisation is interested in all of these issues. I ask the minister to clarify why a Victorian department is holding such a seminar in Adelaide.

Industrial relations: health and police

Hon. P. A. KATSAMBANIS (Monash) — I raise an issue for the Minister for Industrial Relations regarding the current industrial disputation in some of Victoria's essential services, in particular public hospitals and the police force. As we all know, those industrial disputes are having a significant impact on the Victorian public. Given the minister's well-known views on industrial relations I ask whether she supports and condones the use of the provisions of the federal Workplace Relations Act to ensure that Victorians are protected from the impact of these industrial disputes in the health sector and the police force at the moment.

Legislative Council: role

Hon. T. C. THEOPHANOUS (Jika Jika) — My question is to the Leader of the Government, representing the Premier. I refer the Premier to the recently released discussion paper entitled *A House of Review: the Role of the Victorian Legislative Council in the Democratic Process*, which was released by the Constitution Commission Victoria headed by Mr George Hampel, QC. The other commissioners are the Honourable Ian MacPhee and a former President of the Legislative Council, the Honourable Alan Hunt.

In its discussion paper the commission outlines issues for consultation, including such things as good governance, citizens being properly represented and, in the case of the upper house, its review function. For full debate to occur on whether the upper house fulfils these functions it is important that rural and regional Victoria also be consulted. It is important that the commission be encouraged to provide adequate opportunities for regional Victoria to participate in this important debate.

Honourable members interjecting.

Hon. T. C. THEOPHANOUS — Good, I am glad you support me. It is also important that the commission members be supported in their role, particularly given recent attacks on their integrity by the opposition, such as the attack on the former Liberal member and former President of the Legislative Council, the Honourable Alan Hunt.

Hon. Bill Forwood — You are talking about me, aren't you?

Hon. T. C. THEOPHANOUS — If Mr Forwood wants to name himself, I am quite happy for him to name himself.

Hon. Bill Forwood interjected.

Hon. T. C. THEOPHANOUS — If Mr Forwood wants to attack him, he should do it outside the house and not in here.

I ask that the Premier ensure that Constitution Commission Victoria consult widely with regional and rural Victoria, that it is an independent commission and that it is fully supported, so that Victorians are delivered a democratic and representative upper house and not a retirement home for National and Liberal Party members under a skewed electoral system.

Rural Northwest Health

Hon. R. A. BEST (North Western) — I wish to raise a matter with the Minister for Industrial Relations for the attention of the Minister for Health. The issue relates to the removal of midwifery and theatre services and the actions of management of the Hopetoun campus of Rural Northwest Health. That is a health service made up of Beulah, Warracknabeal and Hopetoun campuses. In 1998 KPMG conducted a \$30 000 consultancy into the services which could be provided from each of the campuses for them to consider a future amalgamation. It was on that basis of service delivery that each of the campuses agreed to amalgamate, including Hopetoun, which was assured that these services would be provided at that campus.

It is of concern that on 18 June, I and other members of Parliament, including my colleague the Honourable Barry Bishop; Russell Savage, the honourable member for Mildura in the other place; the Minister for Health; the Leader of the Opposition; and the federal member for Mallee, John Forrest, received a letter from concerned community and staff members saying they had recently been informed by the Department of Human Services that they would not be allowed to provide midwifery and theatre services any more. They said there had been no communication or discussion with staff in relation to this matter. That is one aspect of concern.

The other issue of concern relates to the actions of the management when staff responded with a letter-writing campaign. The management of the health service has taken an action which I find totally unacceptable, and I think the minister will also be concerned, because the staff were warned not to contact local members of Parliament about the loss of services from the Hopetoun campus. There was a clear threat of

retribution if members of Parliament were contacted. I find that absolutely intolerable and reprehensible.

I call on the Minister for Health to undertake an inquiry or investigation into the actions of the Department of Human Services and the management of Rural Northwest Health.

Snowy River

Hon. E. G. STONEY (Central Highlands) — I seek the assistance of the Minister for Energy and Resources, who is responsible for achieving environmental flows for the Snowy River. A government strategy paper has raised the possibility of water running north of the Divide being diverted to Melbourne. The paper identifies Lake Eildon water and talks at length about diverting it to Melbourne. However, it also contains the phrase, 'It should develop new sources of water for Melbourne'. This could easily mean that the government is eyeing watersheds from the Ballarat area. Perhaps it is eyeing water running north with a view to diverting it to Melbourne in the future. This paper certainly leaves that option open.

I am sure that would cause some concern around here because the proposition has certainly caused some concern with northern irrigators, and with people using water out of the Goulburn catchment in particular. Given that the Minister for Energy and Resources is the minister responsible for the Snowy, and given her government's commitment to providing environmental flows for the Snowy while promising not to reduce access to water for agriculture, will she rule out the suggestion in the government paper that water flowing north be diverted to Melbourne?

Disability services: companion card

Hon. G. D. ROMANES (Melbourne) — I raise with the Minister for Sport and Recreation a matter on behalf of a constituent, Steve Eicke, who is a member of the Victorian Network on Recreation and Disability (Vicnord). Mr Eicke spoke with me recently on the topic of the companion card.

The proposal for a companion card, which has been put forward by Vicnord and other disability groups, is to allow a carer to accompany a person with a disability to events and on transport at no charge and thereby relieve the double burden of cost to people with disabilities who want to participate in various events and activities. I understand support for this proposal is growing among the recreation and transport industries, but I would like the minister to tell the house what progress

has been made in consideration of the proposal by the government.

Pakenham bypass

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — I raise with the Minister for Energy and Resources, representing the Minister for Transport in the other place, a matter relating to the provision of road infrastructure in rural areas. I refer particularly to the rural section of my electorate east of Beaconsfield through to Bunyip.

Just this week we saw one of the new and growing businesses in my electorate, the Victorian Livestock Exchange, which provides world-class saleyard facilities to Victorian farmers, listed on the Bendigo stock exchange. That listing was the latest development for this company, and it reflects the type of innovative things that businesses in my electorate are doing.

However, in order for those businesses to expand and develop further, the appropriate infrastructure needs to be provided. I refer in particular to the provision of the Pakenham bypass, a project which has been on the agenda for some years. In 1998 the Howard government committed \$30 million on a road of national importance (RONI) for the development of that project. Since the change of government the new Minister for Transport has done nothing to take up that project, so we have a situation in my electorate where this bypass is desperately needed, \$30 million is on the table from the commonwealth government, which will fund, as the RONI program does, half of stage 1 of the project, and no action has come from the state government.

Hon. M. R. Thomson interjected.

Hon. G. K. RICH-PHILLIPS — The Minister for Small Business interjects, 'Only half?'. What more does she want from the federal government — for it to fund the entire project?

An honourable member interjected.

Hon. G. K. RICH-PHILLIPS — It is a state responsibility. The federal government has provided half the funding for stage 1 and the state government has made no funding commitment, so I ask the Minister for Transport to commit to this project as soon as possible so my constituents get the infrastructure they deserve.

East Gippsland: shire offices

Hon. P. R. HALL (Gippsland) — I seek the assistance of the Minister for Energy and Resources, representing the Minister for Local Government in another place, on the issue of the proposal by the East Gippsland shire to sell the former shire headquarters in Lakes Entrance.

Honourable members who have visited Lakes Entrance in recent years would understand that the former shire headquarters is a substantial building with commanding views over the Gippsland Lakes and town, the ocean entrance and beyond. The council is currently considering an offer in the order of \$1.5 million to purchase the building. A considerable community view is that the building should be used for community use, which does not necessarily mean it should be retained in the ownership of the council. One of the many suggestions that have been put forward to me is that it be used as a community education facility, and I have written to the Minister for Post Compulsory Education, Training and Employment about that matter. The constituents who have approached me want a period of time of up to somewhere around six months to explore the feasibility of other options for the use of that building.

I understand the council will make its decision on 27 August, and I acknowledge that it is the council's decision to make. I am not asking the minister to dictate to the council that it should not proceed with the sale. However, on behalf of my constituents I request the Minister for Local Government to make himself familiar with the issues and to do as I have done — that is, request the council to allow more time during which alternative uses of the facility at Lakes Entrance may be fully explored.

Petrol: temperature correction

Hon. R. F. SMITH (Chelsea) — The issue I direct to the attention of the Minister for Consumer Affairs is about hot fuel. A number of independent petrol operators have made public comment about their viability being undermined by the issue. The independent operators are forced to pay for fuel they do not have available for sale because its volume has shrunk between the time they purchase the petrol from a refinery and when it is put into the customers' tanks. The continued operation of the independent operators is critical to maintaining competition in the marketplace, particularly for rural and regional Victorians.

The minister has previously outlined to the house the problem with hot fuel. As I understand it, that happens

when fuel refiners sell fuel to resellers at high temperatures. When the fuel cools it contracts, resulting in retailers paying for phantom or disappearing fuel. For example, a tanker containing 30 000 litres at 40 degrees Celsius could have its load shrink to about 29 000 litres by the time the fuel cools to 15 degrees Celsius at the service station tanks. That means retailers can pay for the full 30 000 litres but must recover the full cost of purchase on the sale of only 29 000 litres. That situation does not occur when oil companies sell petroleum products among themselves because they automatically calculate for loss due to fuel shrinkage.

I also understand that the oil companies collect the federal government fuel excise on the full 30 000 litres from the reseller but pay excise to the commonwealth on only the temperature-corrected amount — that is, 29 000 litres.

Will the minister advise what action the Victorian government has taken to address the important issue for Victorian motorists and fuel retailers?

Better Pools program

Hon. G. R. CRAIGE (Central Highlands) — The issue I direct to the attention of the Minister for Sport and Recreation concerns the Better Pools aquatic facility funding program and, in particular, the recent round of applications to receive grants. Because of the way the grants have been allocated, the program is now commonly known as Labor's pool party.

I am particularly concerned, as are my constituents, about the evaluation criteria used for the grants. Many community groups of people who work hard spend countless hours trying to obtain funding for swimming pools. In nearly all cases they are supported by local government, which also spends considerable time dealing with fundraising in local communities.

My concern is about the funding issue raised today by the minister. He said some applications fail, and then set out the reasons for their failure. The application for funding that I particularly refer to has been rejected for a second time. On the first occasion it was evident that the group received some application assistance from the minister's department. The department clearly indicated that the requirement for completion of the form, with assistance from local government, had been met.

The issue I wish to raise is the funding of the Yarra Junction heated indoor pool. The council has committed \$2.7 million over the next two years and requested an allocation of \$1.4 million. I ask the minister to explain to the house the details of the evaluation criteria on which this application failed.

Austminex

Hon. PHILIP DAVIS (Gippsland) — I direct the attention of the Minister for Energy and Resources to the recently listed company, Austminex, which is trying to re-establish operations at the Benambra base metals mine. The metals involved include copper, zinc, silver and gold. This project is of significant economic importance to East Gippsland, the state of Victoria and the minerals industry in Victoria. It involves the reopening of a mine that has been out of operation now for about four years.

In the working up of the options for redevelopment some issues have been identified: the recommissioning will create about 90 jobs; there will be potentially 117 permanent jobs at Benambra for a period of at least 10 years; approximately \$420 million of expenditure will be put into the 10-year life of the mine; there will be royalties, and company and personal income tax benefits in the order of \$10 million per annum; and there will be significant downstream benefits for East Gippsland and Victoria in the processing and service industries. The importance of this project cannot be underestimated. There will also be a resolution for the rehabilitation of the mine site, which will require an investment of between \$6 million and \$12 million at the conclusion of this phase of the project.

The critical issue concerns the power supply. This project does not have grid power supplied to it. The company has investigated alternatives and identified that the total cost of providing grid power will be in the order of \$20 million for the project to proceed feasibly. Given the benefits that will arise to the wider community if grid power is connected to the Benambra mine site — the local community will be able to upgrade its access to the state electricity grid — I would like to know what the government approach will be to the request by Austminex for support in connecting to the state electricity grid.

Nurses: industrial dispute

Hon. M. T. LUCKINS (Waverley) — I raise a matter for the attention of the Minister for Industrial Relations. In her answer to my question in question time today, the minister stated that the government had recruited 2300 nurses into the Victorian hospital system. Hospitals that recruited these nurses in good faith to meet the ratios and avoid the nurses union closing beds have been advised by the Minister for Health that only a half or one-third of these positions will be funded. For example, in Bendigo 80 nurses were recruited, but funding has only been provided for 39; in Castlemaine 22 nurses were recruited, but

funding has been provided for less than 7; in Maryborough 24 nurses were recruited, but less than 5 will be paid for; in Warrnambool, 44 nurses were recruited, but only 19 will be paid for; in Ballarat similar figures are expected. So much for open and accountable government. Some hospital chief executive officers, particularly those in Ballarat, seem a little intimidated about providing any information to the opposition.

If the government is willing to provide funds for only 13 000 nurses, which precludes hospitals from meeting nurse-patient ratios as set down by the Australian Industrial Relations Commission and agreed to by the government in order to avoid more bed closures, will the Minister for Industrial Relations guarantee that the other 1000 nurses, many of whom have retrained or relocated to fill the vacancies, will not lose their jobs as a consequence of the government's renegeing on its deal with the Australian Nursing Union?

Tourism: Jigsaw publications

Hon. W. I. SMITH (Silvan) — I ask the Minister for Sport and Recreation to direct to the Minister for Major Projects and Tourism in the other place a matter that I recently raised on behalf of Daylesford small businesses regarding tourist operators in Daylesford for the non-appearance of this year's *Macedon Ranges and Spa Country Jigsaw* book, particularly when it was launched by the minister at a cabinet meeting in Daylesford. It has finally appeared and the book is being distributed seven months after businesses paid for it, and seven months after it was supposed to be released.

The local tourist operators are doubly angered because Daylesford is the geographic centre of the goldfields region. At the same time they have taken out a one-third page advertisement in another publication called the *Goldfields Jigsaw*. It appears the same problem has happened to the *Goldfields Jigsaw* book. Final payments were made by the businesses at the beginning of the year but nothing has appeared.

When will this book be released? A few copies of the *Macedon Ranges and Spa Country Jigsaw* are now being distributed, but when will the *Goldfields Jigsaw* be delivered?

Retailing: maternity leave

Hon. B. C. BOARDMAN (Chelsea) — I direct a matter for the attention of the Minister for Small Business. During question time earlier today the minister alluded to greater participation of women in

small business in regional areas. In that context, the minister would be aware of the decision by the Australian Catholic University allowing female employees 12 months paid maternity leave.

The minister would also be aware of comments made earlier today by the executive director of the Australian Retailers Association, Mr Tim Piper, that if a similar award were implemented in the retail sector it would have the potential to be extremely detrimental to the future viability of the industry. Does the minister agree with Mr Piper's comments?

Rail: regional links

Hon. A. P. OLEXANDER (Silvan) — I seek the assistance of the Minister for Transport in the other place, who is represented in this place by the Minister the Energy and Resources. I direct the minister's attention to the proposal for a fast train between Ballarat and Melbourne which is currently being investigated by a project team in the Department of Infrastructure.

On 23 January 2001, the project manager for this proposal advised a public meeting at Dunnstow that the government was considering a rerouting of the existing track between Millbrook and Dunnstow to shorten the distance between Melbourne and Ballarat by 5.3 kilometres. The point of the meeting was to advise potentially affected farmers of the investigation and possible realignment.

The project manager at the public meeting also advised that the estimated cost of the realignment was between \$30 million and \$40 million. The affected farmers in the Millbrook-Dunnstow area stated that the time saving resulting from this track realignment would be about 2.5 minutes if the train were travelling at 120 kilometres an hour.

It therefore follows that the Department of Infrastructure project team is investigating a proposal to save 2.5 minutes for train travellers between Ballarat and Melbourne at an estimated cost to taxpayers of between \$30 million and \$40 million.

Will the minister give an assurance to affected farmers in the Millbrook-Dunnstow area that they will be fully and fairly compensated, and that the Department of Infrastructure investigation be expedited so that the farmers can get on with their lives?

Responses

Hon. M. M. GOULD (Minister for Industrial Relations) — The Honourable David Davis raised the

matter of community research being undertaken by the government to identify certain issues. That is a matter for the Premier. I shall refer the matter to the Premier and ask him to respond in the usual manner.

The Honourable Peter Katsambanis raised the matter of my position with the Australian Industrial Relations Commission's decision and the government's decision to file applications in the Federal Court about the Australian Nurses Federation if the federation did not desist from its industrial action which is in breach of the commission's decision that the federation lift all bans and limitations and that its protected action had been terminated.

The government filed proceedings, as it is entitled to do, under the Workplace Relations Act in the Federal Court. Those proceedings have been suspended. As the honourable member would be aware, the Australian Nurses Federation was in breach of a direction of the commission, and the government used what was available to it under the act to call on the Federal Court. The action has been suspended to allow discussions and negotiations to continue.

The Honourable Theo Theophanous raised a matter about the constitutional commission and asked that it be referred to the Premier. He wants to ensure that the commission consults widely with regional and rural Victoria. I will refer that matter to the Premier and ask him to respond in the usual manner.

The Honourable Ron Best raised a matter to do with the midwifery services at the Hopetoun campus of, and his concerns about, Rural Northwest Health. I will raise the matter with the Minister for Health and ask him to respond in the normal manner.

The Honourable Maree Luckins raised the government's position with respect to the nurses' concerns. As has been clearly demonstrated and advocated in the public arena over the last few weeks, the government has increased the number of nurses by 1300 to meet the ratios set in the Australian Industrial Relations Commission, by consent.

That was to meet the ratio of the commitment made in the commission, and a further 1000 nurses to accommodate for growth because of the increased funding this government has put into the health services to make up for all the cuts the opposition made whilst it was in government.

The government has increased nurse numbers by 2300 — that is, 1300 nurses for ratios in line with the decisions made by the commission the government accepts the umpire's decision, not something that you

did when you were in government — plus a further 1000 nurses to accommodate for growth as outlined in the last budget.

Hon. C. C. BROAD (Minister for Energy and Resources and Minister for Ports) — The Honourable Andrew Brideson raised a matter for the Minister for Transport concerning a Deer Park bypass. I will refer that matter for the attention of the minister.

The Honourable Graeme Stoney raised a matter for me in my capacity as the minister responsible for negotiating the return of environmental flows to the Snowy River. It concerned a paper he referred to. I am somewhat relieved to say that my responsibilities do not extend to securing Melbourne's water supplies, and if the honourable member wishes to raise that matter for the attention of the minister responsible for water resources, I would be happy to refer that matter to the responsible minister.

The Honourable Gordon Rich-Phillips raised a matter for the attention of the Minister for Transport concerning the Pakenham bypass. I will refer that matter for the attention of the minister.

The Honourable Peter Hall raised a matter for the attention of the Minister for Local Government concerning the future of the council offices at Lakes Entrance. I will refer that matter for the attention of the minister.

The Honourable Philip Davis raised for my attention the matter of the Austminex proposal for the Benambra mine. My advice on this matter is that Austminex is still in the process of evaluating the mineral resources at Benambra, it is still conducting drilling and mine feasibility studies to identify the extent of the mineral resources, and it is also preparing a work plan for the commencement of some mining in consultation with the Department of Natural Resources and Environment. An agreement is in place for the extension of the purchase option, which it has until October 2002. To the best of my knowledge, the somewhat speculative matter of the connection of electricity supplies has not been raised with the government or me. However, if that matter were to be raised I would certainly seek advice.

The Honourable Andrew Olexander raised a matter for the Minister for Transport concerning the fast rail project and compensation for affected land-holders. That is a matter I will refer to the responsible minister.

Hon. M. R. THOMSON (Minister for Small Business) — The Honourable Barry Bishop raised a matter for the Minister for Community Services

concerning a constituent who saw an advertisement in the Adelaide *Advertiser* about the Centre for Grief Education and the provision of the services of that centre to people from Adelaide at a cost of between \$231 and \$264. The honourable member seeks clarification on why a Victorian department would be offering such a seminar in Adelaide. I will raise that with the Minister for Community Services and ask her to directly advise the honourable member.

The Honourable Bob Smith raised hot fuel, which has been an important issue for independent retailers, and the ongoing costs that are incurred by consumers as a result. He adequately described what is occurring so I will not explain the issue again because it is confusing and certainly leads to some interesting arrangements with excise. I am pleased to advise the house that on 13 July, at the Ministerial Council on Consumer Affairs meeting in Canberra, the states reached unanimous agreement to act on temperature correction at the terminal gate, which will see petrol measured at 15 degrees to ensure we dispense with hot fuel as an issue for retailers in the long term, which can only benefit consumers.

We hope by working with the Queensland government, whose responsibility it is to prepare and pass the uniform trade measurement legislation through its Parliament, we will see the commencement of that regulation and the impact study shortly, and that the introduction of mandatory temperature compensation for petrol and diesel will occur early in 2002, which will come as a great relief to independent retailers.

The Honourable Cameron Boardman raised the recent enterprise agreement on maternity leave in relation to the Australian Catholic University and comments made by Tim Piper on the effect it may have on his membership and the retail association. So far as I am aware this is not an issue for the retail sector at this time. It is Mr Piper's responsibility to raise the concerns of his members about issues as he sees them. I am concerned about the hypocrisy of opposition members who raise questions that are not currently before the retail industry, but when it comes to issues like the GST they are not only silent but also dismissive.

If they go around talking to retailers in country Victoria they will understand the pain that this has caused. They should have joined with me in seeking from the federal government an easier and simpler system for those small businesses which are now suffering from 18 months under the GST.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — In relation to the first question asked by

the Honourable Dianne Hadden regarding issues surrounding parolees released in the township of Beaufort, I will refer the matter to the Minister for Corrections in the other place.

In relation to the question asked by the Honourable Elaine Carbines regarding the Clifton Springs Bowling Club and the Drysdale campus of the Catholic Regional College and its need for equipment, I thank the honourable member for bringing this matter to my attention. This government's commitment to lawn bowls in this state has been demonstrated by providing \$420 000 to bowlers for project initiatives over the next four years. The funding packages include the employment of a consultant for the development of a marketing plan and innovation strategy, the development of a small grants scheme supporting talented bowlers which was highlighted earlier this year, and the development of a schools project which will introduce the sport to young people through the employment of a development officer, and the establishment of an annual Premier's tournament will highlight the skills of emerging elite athletes. I am happy to consider ways in which I might be able to provide support to the concept produced to me by the honourable member.

In relation to the question by the Honourable Glenyys Romanes regarding a companion card, members of this house will be well aware that it is a significant issue. This government understands that people with disabilities have been restricted in their access to everyday leisure opportunities due to the often restrictive cost of having to pay two entrance fees, one for a support person whose help they need for their individual care. In order to assist this issue I have provided, — in partnership with the Minister for Community Services, — a grant of \$100 000 to the Victorian Network of Recreational Disability (Vicnord) to support the establishment of a companion card scheme in Victoria. Vicnord presented its report on the companion card to me at the end of July and I am considering it and waiting for some of the issues to be considered within my department. There is a significant range of issues and complexities to be gone through before implementing the system. There are issues such as rights and responsibilities, the logistics of operation and particularly trade for those within industry and the scheme's planned implementation.

In relation to the question by the Honourable Geoff Craig regarding Better Pools applications and the assessment evaluation process and issues surrounding the Yarra Junction pool, I point out to the honourable member that while he referred to it as 'a Labor pool party' I am pleased to announce that, of the 16 projects

which have been supported by this funding round, two metropolitan and 14 regional projects are included.

Honourable members will also appreciate from my earlier remarks about community facilities funding and Better Pools funding applications that there is enormous demand, particularly in regional communities, because of this government's changes to the process through which such facilities are funded. They would appreciate that when you increase the ratios the projects that would not have been able to get up under the former government suddenly become projects that may be realised, so there is going to be oversubscription. The council submitted about 35 applications requesting \$18 million in support funding for projects worth around \$43.7 million. There is enormous oversubscription, but I am happy to say that we were able to provide \$7 million in grants for 2001–02.

Obviously there is substantial need in the community but the government is happy to address those issues. I am also happy to have a member of my department meet with the council in relation to the Yarra Junction proposal to explain and detail the issues surrounding the fact that it did not receive funding. I look forward to the potential of funding further applications in future years.

In relation to the question asked by the Honourable Wendy Smith regarding the Spa Country Jigsaw book, I am happy to refer this to the Minister for Major Projects and Tourism in the other place.

Motion agreed to.

House adjourned 6.02 p.m. until Tuesday, 18 September.

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