

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

**4 December 2003
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By authority of the Victorian Government Printer

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Thursday, 4 December 2003**PAPER**

The **PRESIDENT (Hon. M. M. Gould)** took the chair at 9.33 a.m. and read the prayer.

Laid on table by Clerk:

Budget Sector — Budget Update, 2003–04.

NOTICES OF MOTION

Mr LENDERS having given notice of motion:

Hon. P. R. Hall — On a point of order, President, I seek some clarification. I listened carefully to the Leader of the Government when he read this out, and under the heading ‘General business’ he read out ‘in the first sitting week of each autumn and spring sitting period’. I think he meant ‘in the final sitting week of each autumn and spring sitting period’. When reading point 7(a) I heard him say, ‘At 10.00 a.m. on Tuesday and Wednesday’. It would be very nice if we adjourned at 10.00 a.m. on Tuesday and Wednesday; I would be happy for that to occur, but I offer the opportunity for the Leader of the Government to correct that.

Mr LENDERS — I thank the Leader of the National Party and confirm that both the statements he made are correct, and I meant to read them out.

Further notices of motion given.

PETITION**Taxis: multipurpose program**

Ms MIKAKOS (Jika Jika) presented petition from certain citizens of Victoria requesting that the Legislative Council not support the introduction of a financial cap to the multipurpose taxi program and that any proposed changes be delayed until full and proper consultation has been held with stakeholders, including the taxi industry, to consider other options for the efficient operation of the program so that the special circumstances and needs of the elderly and disabled in rural Victoria are fully considered (41 signatures).

Laid on table.

AUDITOR-GENERAL**Response by Minister for Finance**

Mr LENDERS (Minister for Finance) — By leave, I move:

That there be laid before this house a copy of the response by the Minister for Finance to the Auditor-General’s reports tabled during 2002–03.

Motion agreed to.

MEMBERS STATEMENTS**Home and community care program: PEG feeding**

Hon. BILL FORWOOD (Templestowe) — I have received correspondence from Frank Lynch of Eltham, who is the chairman of the Eltham Chamber of Commerce, which relates to percutaneous endoscopic gastrostomy (PEG) feeding. He has a disabled daughter, Miranda. It appears that PEG feeding is now a medical procedure and must be administered by qualified medical staff. This will mean that home and community care (HACC) and other services will not provide feeding for fear of legal liability in relation to a medical procedure. Obviously parents and carers are also not qualified now to carry out medical procedures and are equally liable to litigation. This is a person whose family provides PEG feeding every single day of Miranda’s life.

Mr Lynch goes on to say:

As you can imagine, this situation is having a huge impact on our family.

He would appreciate it if we could get some sense into this issue.

I have a copy of a letter written by the Department of Human Services which confirms that agencies are required to follow the HACC personal program care policy as defined in the manual published in 2003. The policy defines personal care tasks as normal daily living tasks and goes on to say that PEG feeding goes beyond this and is a complex care task. This is a very important situation that has been forced on people dealing with PEG feeding every single day, and I ask the government to look at this matter as quickly as possible.

**South Eastern Migrant Resource Centre:
10th anniversary**

Mr SOMYUREK (Eumemmerring) — I would like to commend the tireless work of the employees, the supporters, the volunteers and the managing director, Jenny Semple, of the South Eastern Migrant Resource Centre. In the past decade the centre has been an invaluable focal point for migrant communities in the south-east of Melbourne, and in mid-November the centre celebrated the 10-year anniversary of its inception. Together with the federal Minister for

Citizenship and Multicultural Affairs, Mr Gary Hardgrave, and my colleague Mr Gordon Rich-Phillips, I attended this celebration.

Awards were presented on the night to three exceptional members of the centre: the Very Reverend Father Michael Protopopov, OAM, who is the chair of the organisation; Anton Nadarajah, secretary of the board; and Costa Azzam, the vice-chair, were honoured for 10 years of service to this vital organisation. These men, as well as the many contributors in the centre's history, deserve our gratitude for their tireless work to enhance the lives of migrants in the south-east.

Those who were fortunate enough to attend were treated to displays from the Sudanese women's dance group and the Irish dance group, as well as the Bosnian choir. The night was rich with the harmony that the centre has promoted and continues to promote.

Surveyor-General : annual report

Hon. D. McL. DAVIS (East Yarra) — My matter concerns the position of the Surveyor-General, and in particular the government's decision to alter the report that was tabled in this Parliament just some weeks ago.

That annual report is part of a very important reporting process that occurs with government instrumentalities and officers who have independent statutory duties. It is very concerning to me, and I think to many others, that a report to be submitted would be doctored or changed and would be presented in a way that was unsatisfactory to this Parliament.

I call on the Minister for Planning to step forward and indicate why that report was changed, who changed it and how it was changed. It is clear to me that critical parts of that report relating to the survey control network and the non-maintenance of the network in Victoria — something which is the cornerstone of our property or cadastral system — have been deleted.

Hon. T. C. Theophanous — You are just making it all up.

Hon. D. McL. DAVIS — I am not making this up, Mr Theophanous. If you think the doctoring of reports is a funny matter, you should consider your position significantly!

I want to make it very clear that this report appears to have been changed. The minister will need to accept responsibility for the incorrect tabling of a report in this place; and I think the current Surveyor-General has been unwise to put his name to a report that was done when he was not Surveyor-General.

Australian Labor Party: federal leader

Hon. S. M. NGUYEN (Melbourne West) — I wish to congratulate Mark Latham on becoming the federal leader of the Australian Labor Party. Mark is a person who is unafraid to stand up for what he believes in. He is a man from humble beginnings, having grown up in a housing commission estate in Sydney's western suburbs.

Unlike Mr Howard, Mr Latham is a visionary who will endeavour to bring people together rather than divide communities. He is a man who is passionate about improving the lot of those who need a hand to climb up the ladder of opportunity, to get on in life and to take their families with them.

Unlike the current Prime Minister, Mark Latham believes in a universal health care system which provides access for all who need it. He also believes in an affordable education system to enable Australia to become a leader in health care education and to ensure Australia is a world leader in innovation and technology.

Mark Latham will be decisive in his vision to put the rungs of health care, child care, education and improved services back onto the ladder of opportunity.

He is a straightshooter and is not poll driven. He will ensure that Australia's foreign policy reflects the needs of our region and our long-term future, which does not mean a United States of America-centric foreign policy. Unlike the Prime Minister, Mark will not be a yes-man to the US, although he has unashamedly confirmed his support for the alliance with the US. Mark is part of the new generation, a person passionate about introducing policies which are reflective of — —

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

Primary Industries: Hamilton centre

Hon. D. KOCH (Western) — I congratulate the Hamilton centre of the Department of Primary Industries (DPI) on its very successful recent community open day and dinner to mark its 40th anniversary. Successful weekend events saw many local residents and visitors taking advantage of the opportunity to inspect the former Pastoral and Veterinary Institute grounds.

Many past state, national and international employees returned for the anniversary dinner on this historic occasion. Former colleagues had the opportunity to relive memories, including those of the biggest natural

challenge faced by the centre — the 1983 Ash Wednesday bushfires. Peter Hyland, a former manager, spoke about the lead-up to the opening of the station. He described how the then Liberal Premier, Sir Henry Bolte, became involved, officially opening the pastoral research station in 1963. People who had not seen the centre for some time were amazed at the size and scale of the operation. In the 1960s the institute was small, with only a handful of staff working mainly with sheep and cattle. Today DPI Hamilton is the third-largest employer in the Southern Grampians shire, bringing in over \$10 million annually to the region and covering areas as diverse as livestock, the environment, pasture and cropping development.

Again, congratulations to all those participating in the 40th anniversary at DPI Hamilton.

Shop, Distributive and Allied Employees Association: penalty rates

Mr SMITH (Chelsea) — I rise to congratulate the Shop, Distributive and Allied Employees Association, or SDA, a fine and responsible union, on winning back for shop assistants the penalty rate of double time for all work performed on Sundays. The Australian Industrial Relations Commission yesterday agreed with the SDA that it was appropriate for double time to apply on Sundays. This decision in the AIRC restores the conditions stripped from them by the infamous industrial relations minister in the previous government, Phil Gude, who was also known as Johnny Walker. Again I congratulate Michael Donovan, the secretary of the SDA, on his leadership and determination to improve the pay and conditions of all shop assistants.

Schools: languages other than English program

Hon. B. N. ATKINSON (Koonung) — I rise to express concern at a review of the languages other than English (LOTE) program in primary schools in the eastern region. It is my understanding that this review has suggested that considerably more time and resources be allocated to LOTE in the lower levels of primary school — that is, prep to grade 2. The concern I have, and it is a concern I share with the schools I have spoken to in the eastern region, is that it is proposed that some of this allocation will come out of English-teaching time in those schools.

While I strongly support the LOTE program as an initiative within schools and I think it is beneficial for young people, particularly as they prepare for secondary education, I would have thought that proficiency in English was far more important for years prep to grade 2, and I hope this review does not proceed

to implement the recommendations that have been made about additional time and resources being taken away from English teaching to be given to LOTE in those levels of primary school education.

As I said, LOTE is an excellent initiative in schools and kids gain a lot from it, but not in those age groups.

Eureka rebellion: anniversary

Ms HADDEN (Ballarat) — A bloody and terrible conflict took place 149 years ago between 3.30 a.m. and 4.00 a.m. on Sunday, 3 December 1854, at the Eureka Stockade on the Ballarat goldfields. Resident Goldfields Commissioner Robert Rede reported, ‘To put an end to this state of anarchy and confusion, it would be absolutely necessary to turn the rebels out of the stockade, pull it down, and we were determined to use all our power to that end’.

Two hundred and seventy-six troopers of the 12th and 40th British regiments fired on approximately 150 miners. The conflict lasted between 10 and 20 minutes and resulted in 30 miners and 5 troopers being killed. While the funerals for the diggers were being conducted on the following Monday Lieutenant Governor Charles Hotham declared martial law. One hundred and twenty prisoners were taken, 13 of whom were charged with sedition, which was treasonable. The trials took place between February and March 1855, and all were found not guilty.

The diggers oath made under the Southern Cross flag on Bakery Hill on the Thursday before was:

We swear by the Southern Cross to stand truly by each other and fight to defend our rights and liberties.

The consequence of Eureka was that the gold licence fee was replaced by the gold export duty, the Miners Right was created and representation of Victoria’s first Legislative Council increased from 54 to 66 to include mining district representatives, the first time workers were granted direct representation in the legislature in Victoria.

Peter Lalor and John B. Humffray began their political lives as members of the Legislative Council for Ballarat in November 1855.

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

Hazardous waste: containment sites

Hon. W. R. BAXTER (North Eastern) — I feel certain that when the Minister for Major Projects attended the very large public meetings at Violet Town,

Ouyen and Linton to discuss the proposed toxic dump facilities in those particular localities he could not have but observed the extraordinary amount of stress and angst that those communities are presently suffering from, particularly the land-holders directly concerned and their near neighbours.

I make a plea to the minister that if in the course of the environmental effects process moving forward it becomes obvious because of one particular factor or another that that site is simply not a goer and ought to be ruled out, it be abandoned there and then, that the process be truncated and not continued to its end so that the distress those communities are currently suffering can be brought to an end at the earliest possible date.

Hon. R. G. Mitchell interjected.

Hon. W. R. BAXTER — I am not trying to hold up the process at all, Mr Mitchell. I am endeavouring to make it clear that, when it becomes obvious that a particular site is simply a no-brainer, it ought to be abandoned forthwith and those communities relieved from the extraordinary stress they are currently bearing.

Min Lwin

Hon. J. H. EREN (Geelong) — A lot of attention has been paid to the fight for democracy lately, mainly focused on the Middle East. However, the fight for democracy occurs in other parts of the world as well.

I recently met a man who personifies the fight for freedom and what it means to put yourself on the line for your fellow humans. Mr Min Lwin, a Burmese trade union official, has been on a six-month study program with the Australian Council of Trade Unions and was recently in Geelong as the guest of ACTU assistant secretary Richard Marles, who is a friend of mine.

During Mr Lwin's visit to Geelong I discovered a great deal about Burma of which I was not aware previously and which puts into perspective our own political activities in Australia. Mr Lwin has one of the most dangerous jobs in the world. According to the International Labour Organisation Burma and Colombia are the most deadly places to be a trade union official. However, Mr Lwin's commitment to bringing freedom to the work force of his country means that he puts himself in such a precarious position.

He has been the focus of several assassination attempts and constantly faces the ire of Burma's military dictatorship — all because he believes workers should get a fair go.

Unions have been illegal in Burma since 1961, and Mr Lwin tells us that 2 million Burmese work in forced labour jobs. It is a dreadful state of affairs, but people like Mr Lwin are working to bring attention to his countrymen's plight. That is why I have such respect for Mr Lwin and his battle to raise consciousness of the conditions of workers in Burma.

Sheep: live exports

Hon. PHILIP DAVIS (Gippsland) — I wish to draw to the attention of the house an ongoing matter which is of great concern to anybody interested in the welfare of animals, particularly farmers and exporters. Members will recall that it is now two weeks since animal liberationist, Ralph Hahnheuser, admitted feeding shredded ham to sheep, an act he claimed would affect their halal status in Kuwait, and therefore the fate of the shipment. The great pity is that there were two ships due to be loaded at that time. The livestock carrier MV *Becrux* has now sailed from Fremantle, having loaded 50 000 sheep last weekend. That ship was to have taken sheep out of Portland but had to sail on.

The other ship, the *Al Shuwaikh*, which I understand is a vessel operated by an importer company owned by the government of Kuwait, is still waiting to be loaded. There are 70 000 sheep, and I am hopeful that some time later this day there will be an export certificate issued so that those sheep can be loaded. It is a tragedy of huge proportions.

Islamic Society of Victoria: community day

Ms MIKAKOS (Jika Jika) — On 29 November I had the pleasure of attending the Islamic Society of Victoria Eid El Fitr community day which celebrated the end of Ramadan, which is the holiest month of the Muslim calendar. I want to congratulate the Islamic Society of Victoria, under the leadership of Sheikh Fehmi Naji El-Imam, and the City of Darebin, for organising this important event as part of the Cramer Street neighbourhood Living in Harmony project. This event will help to build bridges of understanding between Muslim and non-Muslim neighbours and residents of Cramer Street and the wider Darebin community.

The Bracks government believes our cultural and religious diversity is one of our greatest assets, and we can be proud that we remain a welcoming and accepting society built on respect for one another. This year we celebrate 30 years since the Whitlam government committed this nation to multiculturalism and to racial and religious harmony, something we in

the ALP proudly support to this day. I wonder, given that we are celebrating this historic anniversary, if members opposite can recall the last time that the Prime Minister, John Howard, uttered the word ‘multiculturalism’. It is shameful that we are led in this nation by such a divisive leader who practises wedge politics for political gain.

UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN

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

That pursuant to section 46D(1)(c) of the Planning and Environment Act 1987, amendment 116 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved.

I wish to speak briefly on this matter and recognise that the opposition may have some queries in relation to it. Those from this side of the chamber who will speak on this matter after me will attempt to answer queries the opposition may wish to raise during the course of the debate.

The Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan was introduced in the early 1980s to provide protection for the valuable environmental and agricultural resources of the Upper Yarra Valley and Dandenong Ranges region. It contained a series of policies covering a wide range of planning and environmental issues that were to be implemented through the local planning schemes in the region. This area is now covered by the current Yarra Ranges planning scheme. The scheme contains provisions to ensure that any inconsistencies between the regional strategy plan and Victoria Planning Provisions are reconciled — that is clause 53 of the Yarra Ranges planning scheme. The Planning and Environment Act 1987 similarly requires that any amendments to the Yarra Ranges planning scheme should be consistent with the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan.

The policies and directions, as would be appreciated by this chamber, of Melbourne 2030 and the introduction of the urban growth boundary embrace the spirit and policies in the regional strategy plan. The amendments to the urban growth boundary considered by Parliament two weeks ago place an urban growth boundary around the many townships in the Shire of Yarra Ranges. These boundaries respect the existing urban-zoned land and township boundaries and were supported by the shire. I want to reinforce that, President. In fact the

submission of the Shire of Yarra Ranges to Melbourne 2030 requested the urban growth boundary around the rural township areas. This included Millgrove, Wesburn, Launching Place and Healesville South. These settlements are not formally recognised in the strategy plan’s township policy areas and landscape living policy areas. The changes proposed here bring about this alignment.

The changes in amendment 116 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan achieve an alignment with Melbourne 2030 policies and directions, particularly the introduction of the urban growth boundary. They also ensure an alignment with the council’s local planning policy framework, particularly the municipal strategic statement (MSS) in its planning scheme.

The Yarra Ranges MSS at clause 21.05, which deals with townships large and small, refers to the role of rural townships, recognises and protects the distinctive characteristics and environmental features of the residential areas throughout the shire and maintains and enhances the rural setting and compact form of the rural townships. The rural township policy includes the objective of retaining compact townships with their distinctive village-like character and environmental features. This is achieved with the application of the urban growth boundary around the townships and will be reinforced with the strategy plan’s formal recognition of these townships.

The approval of amendment 116 to the strategy plan does not alter zoning or development controls of any land in the planning scheme. I would like to reinforce that, President. What it does do is reinforce the consistent intent of the strategy plan and the planning scheme to retain compact townships and the distinctive village-like character and environmental features of these settlements which are treasured by the community. We look forward to the implementation of this planning scheme amendment, and to the opposition’s support of it.

Hon. D. McL. DAVIS (East Yarra) — That was one of the briefest contributions I have heard for such a significant change. I thank the minister for it. I would also greatly appreciate a copy of what he said in the chamber today. That would be of remarkable assistance. I know the opposition has talked at length about process in this chamber, but I record for posterity and for *Hansard* the house making planning decisions on the run — the minister has kindly walked across the chamber and delivered to me a copy of the speaking notes he used in the chamber today.

I do record, as I recorded with the changes a week or two ago relating to the green wedges, my concern that this process is flawed. We need to have a better process so that speaking notes which in effect become second-reading speeches of sorts on planning motions are circulated ahead of time so people can understand all the aspects of what is proposed.

When we discussed the government's tinkering with the green wedges a couple of weeks ago members of this chamber will recall that we did not have sufficient time to examine the maps and the detail in them. This is somewhat along the same lines. In this instance at least there has been a slightly greater period of time to consider the proposed amendment, but I record my outrage and concern that this situation has been allowed to develop.

I know that Mr Jennings, the Deputy Leader of the Government and a person who I have always believed is committed to having good processes in this house, would be concerned if he were in opposition at receiving the equivalent of a second-reading speech just as he got to his feet to deliver a contribution. It is very hard to read the notes, to try to absorb them and to talk while at the same time trying to be reflective. Multiskilling is a remarkable thing, but even I have not mastered that. I doubt that even our esteemed President could master such a task.

Mr Gavin Jennings interjected.

Hon. D. McL. DAVIS — Yes, and to understand the flavour! But the point I am making is deadly serious. The processes instituted by the government are not satisfactory, and they will cause trouble for the community in the end. If members of the community are not given a sufficient and legitimate opportunity to fully examine the changes that Parliament proposes, to have proper input where they concern their properties — as in many cases these sorts of planning changes do — and to understand that they will also affect the character and appearance of suburbs and townships and parkland, it would be quite wrong to force them to accept those changes. That is again the case in this house.

It does not surprise me, coming from this government, because we are increasingly seeing a whittling away of the rights of the Parliament, a whittling away of the privileges of members of Parliament and their ability to protect — —

Hon. Bill Forwood — It is not a whittling, it is an axing.

Hon. D. McL. DAVIS — Mr Forwood called it an axing. I am trying to be as moderate and generous as I can, but I must say that John Lenders's nickname, 'Jackboot John', came to mind when he got up this morning to indicate that he would be changing the sessional orders of this chamber. I again confess that I have not had time to fully examine them, but as I listened to his presentation it became clear to me that the changes to the sessional orders he proposes are designed to limit the privileges of members of Parliament and provide them with less opportunities to make contributions on behalf of their constituents. It would also mean that they have less capacity to scrutinise this government.

This is a very secretive government, and I will talk about issues surrounding probity, because increasingly we need to understand that probity is the bedrock of a free society. It is based on the understanding that people will speak the truth, that information will be allowed to be conveyed clearly, that things will not be covered up and that proper process will be followed. Proper process is the other half of probity, in that it ensures that good outcomes are achieved for our community.

As I said, the government does not appear to have learnt from its experience with the planning changes several weeks ago. You can only say that this decision to amend the Upper Yarra regional strategy plan is a here-we-go-again type of arrangement. These amendments are being made under part 3A of the act. They have not been on public exhibition and there has been no notice. You would have to say that anyone with a reasonable view of these issues would be very concerned about this process.

I again say to the house that I am not fully cognisant of every point in the minister's speaking notes. The minister has sought to intervene in this way again. The reasons are put down in her document entitled *Ministerial Powers of Intervention in Planning and Heritage Matters — Reasons for Decision to Exercise Power of Intervention — Amendment 116 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan*. I note the comments made in that document, and I want to quote some of them. At point 3, under the heading 'Request for intervention', the document says:

I have decided to exercise my powers to prepare amendment 116 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan and to exempt myself from all the requirements of sections 17, 18 and 19 of the Planning and Environment Act 1987 and the regulations in respect of this amendment.

This is arbitrary power! There is no other possible description for it — it is arbitrary power. It is a decision to exempt oneself from all the normal processes one would expect. Point 4 states:

The amendment changes policy 3.01 — regional overview; policy 3.02 — township policy areas; policy 4.01 and policy 4.03 — landscape living policy areas, of the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan (RSP). The amendment introduces a reference to *Melbourne 2030* —

which I will talk further about in a moment —

and the application of the urban growth boundary (UGB), and clarifies the relationship to township policy areas and landscape living policy areas.

These are sweeping changes — changes that alter the character of people's suburbs and living spaces — that are being made without the slightest heed to process and without the slightest opportunity for landowners to have a proper and fair say as to what they wish to occur and to put arguments to the government. There may be arguments which are not even contrary to the policy in this area but which may be in tandem with the government's policy, or arguments about how some of the government's aims and policy objectives could be better achieved.

However, the reason given under point 5 for wanting to do this is:

Section 20(4) can therefore operate to expedite that amendment.

Why do they want to expedite this amendment? On my examination of these changes there are some things wrong. The government has made some errors, the government has made mistakes — it has not understood fully what is required. I draw two examples to the attention of the house that have occurred in the recent period. Both have been covered, interestingly, in the *Australian Financial Review*, of all places.

I implore the major daily papers in Melbourne to start to take an interest in what is going on here, but the examples that the *Australian Financial Review* has carried relate to ill-thought-through changes under the green wedge legislation. I note the case of Jayco Caravans. I am not saying I oppose this change — it is not necessarily the case that I oppose it — but I think this necessity to come back and change things points very clearly to the fact that the government's processes are wrong. If these changes and the ones a couple of weeks ago had gone through proper processes the government would not have had to make amendments — these changes — because it would have got the process right in the first place. If

land-holders had been properly consulted, if people had understood the nature of the changes that were being made, the processes would have sorted out many of the concerns and issues.

It is my understanding that in the case of Jayco Caravans in the south-eastern suburbs the government did not understand that Jayco had purchased new land and planned to expand and build an important facility and that that facility would have been counted out by the changes the government planned. This is the sort of ill-thought-through process that is in operation. The government had to come back and make amendments so that Jayco was taken account of. As I understand it, there have been some very robust conversations between Jayco and the government.

Jayco Caravans made it clear to the government that it would leave Victoria and take hundreds of jobs with it, so the capacity of these planning changes to cause massive damage to Victoria as a state should not be underestimated. We can lose major industries through foolish, ill-thought-through schemes and even by simple errors in planning processes. Simple errors can cause trouble. I implore the government on this. I cannot see what else one can do on some of it. You shake your head to think that a government that was elected on a platform of openness, accountability and transparency has adopted such shoddy and unsatisfactory processes.

Moving further through the ministerial statement of intervention you see that the urban growth boundary (UGB) and the Yarra Ranges planning scheme follows the urban boundaries set out in the regional strategy plan (RSP). That was okay then, but it is not now. I am not sure why there is the necessity for change. In point 9 under the heading 'Background' the statement says there are no township policy areas in the RSP for existing urban areas at Millgrove, Wesburn, Launching Place and Healesville South — all those small communities that will be impacted upon.

The statement goes on to say:

I have not consulted with the Yarra Ranges Shire Council on this matter.

You could not have a clearer statement of the failure of this minister to make proper changes following proper processes. I just want to read that again for the chamber's attention.

Hon. J. M. Madden — That is rubbish.

Hon. D. McL. DAVIS — That is what she says.

Hon. J. M. Madden — What are you quoting from? What is your source?

Hon. D. McL. DAVIS — I am quoting from amendment 116. It says:

However, the council in its submissions on the UGB has noted ...

The minister has not consulted. She has some information, but not necessarily about the precise changes — —

Hon. J. M. Madden — What are you talking about? The councils asked for it. They always do.

Hon. D. McL. DAVIS — They do not always ask for it; some of these changes are foisted on them. There is no question about that.

Hon. J. M. Madden — They asked for it.

Hon. D. McL. DAVIS — But there should be better processes. The community has not been involved.

Hon. J. M. Madden interjected.

Hon. D. McL. DAVIS — I am reading from the minister's document.

Hon. J. M. Madden — You are making it up as you go along.

Hon. D. McL. DAVIS — I record that the minister thinks we are making it up. To the extent that I have not been given full information ahead of time — —

Hon. J. M. Madden — You should ask Ted.

Hon. D. McL. DAVIS — I have spent time talking to Ted about this.

Hon. J. M. Madden — If you had been around, Ted would have briefed you.

Hon. D. McL. DAVIS — Ted did brief me.

Hon. J. M. Madden interjected.

Hon. D. McL. DAVIS — It did too, but these processes did not go before the community fully, and that is my point. On Melbourne 2030 the statement says it is:

... the principal strategic policy of the government for the metropolitan region and consistency with the RSP is desirable.

I do not think just 'desirable' is sufficient; I think it has to be required. That is my understanding, but I stand to be corrected on that too.

We talked about the processes in this place last week when things were rammed through and the ugly precedent it was setting and the contempt with which the Parliament was treated. The government is cleaning up the mess. It is trying to tidy up the errors and look at these things in a way that will just tinker and change, and I have some concerns about that too. I wonder whether that provides the best security for land tenure and the best arrangements to enable people to plan. It will be interesting to see over time what happens with the wedges and the planning scheme amendments that have been made in this period.

One example I referred to briefly before from the *Australian Financial Review* is the example of the Croydon Golf Club. It has decided to sell its land and to move into the green wedge territory. The planning schemes allow it to move into that land and sell the land in the consolidated area, in the area around Croydon, for a much greater amount. I cannot remember the exact figure, but it is a very significant figure they sold that land for to a large developer. The developer will, within the planning laws, develop a high-density development on that site, again changing the character or nature of an area of Melbourne that has not traditionally chosen to have high-density development.

That area around Croydon has always had the sort of density that most Melbourne suburbs have, but over the next period we will see a decision to build a high-density development, as they say 'subject to council and government approvals'. That is where it is headed. I have no doubt that on that site, as on many other such sites around the city, we will see infill with massive density and possibly high-rise development — development of a type that has not been supported by the local community. The local community will have very little say.

As I have indicated, there is an attempt to change some boundaries around Wesburn, Launching Place, Millgrove and Healesville and to add township boundaries. The minister referred a minute ago to the fact that there had been a briefing. Yes, there was a briefing — we were advised on Monday and briefed on Tuesday — but because of the pace at which things have happened the time available has not enabled the opposition, the National Party or the Independents to consult with land-holders and local communities. This will come back to bite the government greatly.

There are other concerns with how parts of the Department of Sustainability and Environment are operating. If members look at the news today about the Surveyor-General's report they will realise no-one can have confidence in what is tabled in this Parliament; nobody can have confidence in the probity or accuracy of material that comes out of that department, and out of Land Victoria in particular. Today it has become clear that the report tabled before this Parliament a few weeks ago — the 2002–03 annual report of the Surveyor-General of Victoria — has been tampered with and doctored by government officials. It is not clear which government officials, but it involves the Secretary of the Department of Sustainability and Environment, Lyndsay Neilson. The tampering is substantial, and the opposition is determined to get to the bottom of what has happened to this report.

Hon. C. A. Strong — A funny-money deal!

Hon. D. McL. DAVIS — It is not so much funny money, Mr Strong, as an attempt to censor or to whitewash a report that contained serious criticisms of the government.

I note that the 2002–03 report by the Surveyor-General on the administration of the Survey Coordination Act 1958 is a substantial document as tabled, but I am aware that at least one significant appendix has been removed from what was submitted by the Surveyor-General. For the house's benefit I will explain that the current Surveyor-General, John Tulloch, took his position in early July after the former Surveyor-General, Keith Bell, finished his term. Dr Bell completed his term on 7 July. This annual report relates purely to the period to 30 June, during which time Dr Bell was the Surveyor-General.

Let me be clear about what has occurred. I am informed by sources inside Land Victoria — and there will be a witch-hunt at Land Victoria after my saying this, as there always is whenever I speak about it — that this report has been changed. My sources inside Land Victoria are impeccable and have never yet been proved wrong, mainly because the documents are accurate and are originals. Based on materials I have seen, this report has been changed. The surveyor's name has been taken off the front; a significant appendix has been removed; and a name has been added and other changes.

I am informed there are many other changes. I have not had time to work those through and reconcile them, but the one that concerns me most is that Mr Tulloch, the current Surveyor-General, added his name to this

report. It is not clear to me how he can add his name to a report when he was not the Surveyor-General reporting on the time in question.

There is another issue. If Dr Bell signed a report and that report was submitted to the department, what occurs then if the report is doctored? How can that report be properly tabled in Dr Bell's name? It is not the report he submitted; it is not the report he agreed to. This seems to be an extraordinary development. What can the Parliament believe if under the Bracks government annual reports that are tabled pursuant to acts of Parliament and statutory reporting requirements are to be flouted and the law is to be broken in this way?

The deleted appendix was significant because it sought to give a comparison between the maintenance of the survey control network in Victoria and the maintenance of the survey control network in other states. It is very transparent from that table, which I have seen, that Victoria's survey control network is not being maintained to the standard required.

The then Surveyor-General, Dr Keith Bell, has complained and written in his previous reports about the survey control network needing attention. He made it very clear that the survey control network in Victoria was running down and was being treated badly.

In the context of this motion on the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan amendment 116, the impacts on all those boundary changes and other changes in the planning scheme are all dependent on the accuracy of the control network. We all know this when we look at the simplest neighbourhood fence dispute. If there is a problem with the surveying, a problem with the boundaries, all sorts of problems occur for householders, and that is on the most micro level possible.

If the survey control network is not maintained at the highest level, the property system in Victoria can be damaged. There can be a loss of confidence and a loss of faith in property boundaries. This leads to issues with respect to banks. If you try to borrow money, Mr Strong, from a bank for a property where the boundary is in dispute, the first thing the banks look at is if there are any caveats or notes attached to the file. As honourable members would know, the bank will run a mile from a property where the boundaries are in dispute. The bank will tell you to go and find another house.

It is not just housing that is at stake here. It is also the significant issues that surround business investment. I

quoted the example of Jayco before. We are tampering with a system where confidence is very important. If the government thinks it can tamper with the quality of the survey control network and the security of property title in Victoria, it is a very foolish government indeed.

Hon. C. A. Strong interjected.

Hon. D. McL. DAVIS — It will put the whole planning scheme at risk, as Mr Strong has said, and that can cause tremendous damage to Victoria economically. It is interesting to talk to surveyors from overseas, those who are involved in surveying in other countries. In many parts of the world they look at Victoria, at Australia, as having one of the best systems in the world. They see that the security and growth of economies are dependent on clear property title, on the clear definition of boundaries and the ability to quickly and easily be able to understand property issues and boundaries.

I note that this is not the first time an issue of this type has come up with respect to the Department of Sustainability and Environment or its predecessor, the Department of Natural Resources and Environment. I make it clear that the same section of the department, Land Victoria, has been one of the problematic issues here.

I want to put on record some comments made by the then Minister for Environment and Conservation, Sherryl Garbutt, to the Public Accounts and Estimates Committee last year when at a committee hearing I questioned her closely about her attempt to block the Surveyor-General's attempt to put an annual report to Parliament for 2001–02, not 2002–03. She blocked that report and would not table it in Parliament. It took enormous pressure to get her to table that report.

Minister Garbutt said to the Public Accounts and Estimates Committee — and this is further proof that this department and this government's ministers are unprepared to accept advice from independent officers who have independent statutory duties:

I then required him —

the Surveyor-General —

to clarify some aspects of it, because I was not satisfied with that report. I am getting some legal advice on some aspects of it, because I do not believe it is accurate.

Well I can tell you that it is accurate. If the minister has some concerns with and disputes something said by a statutory officer who has independent reporting duties to this Parliament and to this community, she has every

right to put some balancing statement to the Parliament in some way or another. There is no doubt that she has got that right, but she does not have the right to deprive that officer of their right to undertake their duties as required by statute.

The Survey Coordination Act 1958 is very clear. It directs the Surveyor-General, and no-one else, to report to Parliament on the duties he is required to undertake and on the survey control network. The blocking of his report became so serious that the Auditor-General had to intervene. He undertook an investigation, and *Survey Information at Land Victoria* is part of his 2002 report on public sector agencies. Paragraph 7.240 of that report states:

In the absence of legislative amendment, the Surveyor-General's report should be prepared and tabled in Parliament on a timely basis in accordance with the requirements of the act.

The Valuer-General, 12 months or so ago, estimated the value of property in Victoria at somewhere between \$430 billion and \$500 billion. It is massive. That is at risk if we play around with the survey control network, if we play around with the quality of our cadastral system and if we play around with the quality of the advice and information given to us by statutory officers who have a clear role.

When that 2001–02 report by the Surveyor-General was tabled in this Parliament, after going through resistance from Land Victoria and the then minister, Sherryl Garbutt, in the end there were a number of very serious things in it. The Surveyor-General said:

The Valuer-General has advised that during the year, in the undertaking of the rural assistance program, which involved some 14 rural councils, approximately 20 000 land parcels were identified as missing or incorrectly described in the Vicmap property database.

He also said — and I think it was a damning comment and is the true reason the minister never wanted the previous report tabled and the true reason why she and Lyndsay Neilson and the department doctored the current report because they did not like it:

... up to 30 per cent of the permanent marks —

Ms Carbines — On a point of order, Acting President, I bring to your attention the fact that the member has been speaking for about 32 minutes. He is speaking about matters that are totally irrelevant to the motion before the house and he is making wild accusations and allegations. I ask you to draw him back to the motion being debated at the moment.

Hon. D. McL. DAVIS — On the point of order, Acting President, the point I want to make is that this is entirely relevant to the amendment. Changes to the boundaries, changes to the planning schemes, are all dependent on the quality of land information and survey information. It is impossible to conceive of land title and of changes to boundaries without proper arrangements for surveying. We have information today and information that has come to this Parliament in very recent periods which makes me concerned about those matters.

The ACTING PRESIDENT

(Hon. J. G. Hilton) — Order! The honourable member is the lead speaker for the opposition; he is therefore allowed some leeway. However, I agree with Ms Carbines that the member has been speaking for 32 minutes, and a significant amount of that time has been in discussing the Surveyor-General's report. Although that has some relevance to the motion, it is not relevant to the extent that it takes up the majority of the member's time, and I therefore ask him to draw those remarks to a conclusion and address the motion before the house.

Hon. D. McL. DAVIS — Acting President, I think this is an important matter, and I will wind up my remarks on the Surveyor-General's aspect of this. He said that permanent survey marks were at risk and that the survey control network had declined. That is a significant issue to the amendment.

It is not clear to me how we can change the green wedges and so forth without involving proper survey markers. It is unclear how we can possibly amend planning schemes without being able to put pegs in the ground, as it were. It is clearly an impossibility, because the edges of those regions are all delineated by the activities of the surveyors, the survey control network and the registration of surveyors through the Surveyors Board. Ultimately, of course, the Surveyor-General has a key role there. If there is a lack of confidence about that, that is of significant concern indeed.

On the matter of amendment 116 and the issues surrounding that, the minister said:

I have decided to exercise my powers to prepare amendment 116 to the Upper Yarra Valley and Dandenong Ranges regional strategy plan and to exempt myself from all the requirements in sections 17, 18 and 19 of the Planning and Environment Act 1987 and the regulations in respect of this amendment.

This exemption of oneself from normal requirements is extraordinary. It is something that the government was critical of at a previous point. It is clear to me that the government is prepared to treat process in a very

cavalier way. The explanatory statement is a most unsatisfactory document.

I note that Yarra Ranges Shire Council pointed to the need for some of this. I also note that in the minister's statement to the house, which I have not had a great deal of time to fully digest, he talks about the rural township policy that:

includes the objective of retaining compact townships with their distinctive village-like character and environmental features.

We support aspects of that and the concept of townships that retain their character, but I do not believe the consultation with those townships has been satisfactory. I expect there will be — as the opposition has said in this chamber and I believe in the other chamber during the recent debate — some unintended consequences of the government's changes under these and previous measures, and in areas nearer to the city under the Melbourne 2030 planning arrangements.

It is also clear that at a deeper level Melbourne 2030 drives all of this and the government's proposals for 2030. As stated in point 4 of amendment 116, the amendment introduces a reference to Melbourne 2030 and the application of the urban growth boundary, and clarifies the relationship to township policy and landscape living policy areas. It is clear that Melbourne 2030 too is a flawed policy that has not gone through the proper processes in the community.

Ms Carbines interjected.

Hon. D. McL. DAVIS — Ms Carbines would have to agree that the policy was not something the community understood at the time of the last election and it is a policy that people are only now beginning to understand in local communities across Melbourne. They are understanding it in terms of its impact on parkland in areas like the Commonwealth Games village where, also pursuant to this strategy, the government will seek to impose on people a scheme they are not happy with. Certainly many people I have talked with are concerned about the processes the government has gone through, and its arbitrary decisions to discard community input and impose an 11-floor height limit that will change the character of that area of Melbourne forever.

I know the same is occurring in areas like the Kew Residential Services site in my and Mr Dalla-Riva's electorate. We have seen at first hand the capricious approach of the government and its attempt to override community ideas and opposition. Whilst I know that the council of the City of Boroondara has reservations

about planning for that site and eventually it arrived at an urban design framework — it was not, I have to say, an urban design framework that I supported —

Ms Carbines — That's irrelevant.

Hon. D. McL. DAVIS — It is very relevant. It is relevant on two fronts, on consultation and on Melbourne 2030.

Honourable members interjecting.

The ACTING PRESIDENT

(Hon. J. G. Hilton) — Order! Members will address the Chair.

Ms Carbines — This is about Upper Yarra not East Yarra.

Hon. D. McL. DAVIS — That is right. I am using another example under Melbourne 2030 where the government's processes have been bad, very bad. In the case of the City of Boroondara, it came to an urban design framework which, as I said to Ms Carbines, was not one that many in the community supported. It was one which most of the community opposed, but tremendous pressure had been applied by the government and the department to achieve a certain outcome and they got part of the way down the track to where they wanted to be. They did not quite get there, but they got a lot. In the end they decided to take everything and they pulled it all in.

It was decided that those reserve powers will be used and implemented against the will of the community, and we will see an extraordinary development there, most likely of great height. The original plans the government was pushing proposed seven floors. It had a huge influence on the urban design framework committee, having departmental representatives there. This was not a local community set of decisions; this outcome was engineered by the department and therefore by the government which has now called it in and will impose on the community of Boroondara and on Melbourne as part of Melbourne 2030 a monstrous development that is not in keeping with what our community wants nor understood at the last election.

Acting President, I want to go back over that period just before the last election when the minister released the details of the government's policy on Melbourne 2030 in a period when, in my view, it got inadequate coverage and there was inadequate understanding of what it would mean for our community and inner city suburbs and municipalities further out as well. Something that has not been understood is the government's huge desire and drive to build density by

congregating large numbers of people and developments on a small number of sites. This is in one sense a defensible policy, but in another sense it has not been endorsed by the Victorian community.

The community is not keen to see high-density development. It has not said it wants it, and some of this will apply in the smaller townships out into the Yarra Valley. There is every reason to protect the edges of towns and the surrounding green wedge land, but there will be a consequence. We will see in some of those towns increased density. There will be development of a type that has not traditionally been the character of those areas, and I am not sure that the government has fully thought through or managed the potential consequences. I think it will be a challenge for local councils to work with present and future governments to manage the flow-on. I have every reason to believe that it may not be precisely as the government would have imagined.

In commenting on this I want to indicate that the growth boundary polices have some merit; there is no question of that. The opposition has not opposed those policies, and it does not oppose this motion today. However, we express huge reservations about aspects of the motion and about the way it has come to the Parliament, the time lines with which it has come to the Parliament and the haste with which the government has acted in this regard.

There are a number of policies attached to Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan amendment 116. I have alluded to the township policy areas, the policy overview, the regional overview and the Melbourne 2030 urban growth boundary. I want to make a comment on the landscape living policy areas, description and primary purposes section. It states:

Within the Upper Yarra Valley and Dandenong Ranges region, the urban growth boundary generally conforms to the township policy areas in the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan. The urban growth boundary has also been applied to some landscape living policy areas that have urban characteristics. This includes the settlements of Wesburn, Millgrove and Launching Place. The inclusion of these areas within the urban growth boundary recognises their urban characteristics but does not imply that their zoning should change under the Yarra Ranges planning scheme.

Why has Healesville been left out of that? I am concerned about that. To use the minister's words, it says:

... does not imply that their zoning should change ...

Does it not imply just that? I find this surprising. I seek some explanation of that point from the Minister for

Sport and Recreation — of how changing these matters does not imply some change? It seems to me to be an inconsistency to argue that change is not change.

Under the heading ‘Why the amendment is required’, the explanatory report states:

The amendment is required because of the need to reconcile the location of UGB with the boundaries of township policy areas ...

In talking about the impact of the amendment, under a subheading of ‘Environmental effects’ the explanatory report states:

The amendment will not have any adverse impact on the environment.

How the heck would anyone know that? How could that possibly be inferred from the documents that have been presented to the chamber? How could that possibly be inferred from the changes envisaged here? They are significant. The report further states:

The purpose of the amendment is to reconcile differences between the RSP and the Yarra Ranges planning scheme as it implements the policies of *Melbourne 2030*.

Is the government seriously arguing that with all its ramifications Melbourne 2030 does not have environmental impacts? I think these documents are shoddy — they are slipshod and are not suitable documents to make these sorts of changes with. I believe far more work needs to go into the documents.

In conclusion, the opposition does not oppose these changes, but it does oppose the way the changes have been implemented. We are greatly concerned about the government’s processes generally — this set of planning changes and the processes surrounding the ones brought to this chamber in the past several weeks. We have concerns about the Melbourne 2030 issues and the way that process was undertaken. We believe these changes will lead to bad outcomes for the community. We strongly believe that by having proper public understanding of changes in this area we will get a much better result in terms of the quality of planning and the final outcomes for the Victorian community. With those comments, I conclude.

Hon. P. R. HALL (Gippsland) — The Nationals will not be opposing the motion put forward by the Minister for Sport and Recreation. However, there are some concerns that I want to express that go more to the process than to the content of the motion before the chamber.

As was said by the minister in his opening remarks, it was only two weeks ago that we debated changes to the

urban growth boundary in this state. At that time I commented on the process and said it was rather unusual for the Parliament to be required to approve amendments to a planning scheme. Planning scheme amendments are normally handled by way of disallowance motions so that a planning scheme amendment fails to become law only if the Parliament chooses to disallow it. But in this particular case we are required to approve it.

I said it was a rather unusual occurrence, but in fact there have been at least three such occurrences — possibly four — this year. On each occasion I think I said there was a deficiency in the process that the government needed to address, and I say that again today. Having had a look at some of the documentation associated with the tabling of this planning scheme amendment, I still think there are deficiencies in the process.

I go to the power given to the minister under the Planning and Environment Act which results in us discussing the planning scheme amendment today. Part 3A of the act is headed ‘Upper Yarra Valley and Dandenong Ranges — Regional Strategy Plan’. The requirement that the Minister for Planning table a planning scheme amendment is in section 46D(1)(b), which says:

... the Minister must cause each approved amendment to the approved regional strategy plan to be laid before each House of Parliament within 7 sitting days of that House after the amendment is approved under section 35 —

and it goes on. Section 46C(1) says:

The Minister may at any time prepare an amendment to the approved regional strategy plan.

Section 46C(2) says, and I paraphrase, that the minister is to treat any such amendment as if it were an amendment to a normal planning scheme. If we go back to earlier sections in the Planning and Environment Act, we see that the minister can prepare any amendment to a planning scheme, and further, that the minister can exempt himself from giving public notice of any proposed amendment to a planning scheme.

The Nationals have some difficulties with this. We believe quite firmly that any proposed amendments to planning schemes should be the subject of consultation throughout the community — or at least of notification — so that people are aware that the changes are being proposed. Even if they are minor in nature, which I accept this one is — quite clearly it is virtually a consequential amendment as a result of the urban growth boundary legislation that recently passed

through this Parliament — we still firmly believe that they should at least be advertised, that people should be notified and that, where appropriate, they should be given the opportunity to comment on them. That certainly has not happened in this case.

I note that in the documentation provided to the Nationals during the briefing on this motion, which was signed by the minister, it quite clearly says:

I have not consulted with the Yarra Ranges Shire Council on this matter.

An explanation for that was given in this document and repeated by the minister today: it was felt that consultation was not necessary, given that these changes were consistent with the Yarra Ranges Shire Council's submission on the urban growth boundary review and the legislation.

I presume also — it does not explicitly say this — that there is no requirement for consultation with the public. Indeed there has been no consultation with the public on this issue. Again the Nationals say that at the very least the public should be told, by way of a public notice, what the intent of the government is with respect to any planning scheme amendment.

I note that section 46 of the Planning and Environment Act says that once the Parliament has approved a planning scheme amendment there is a formal requirement for the minister to notify the public that the amendment has been made. That is fair enough, but there should also be a requirement that the government notify the public of the intent to make an amendment. That would make it a far more transparent process.

When this matter was debated in the lower house the Nationals spokesperson on planning, Mrs Powell, a former member of this chamber, moved an amendment that Parliament not approve this planning scheme amendment until it had been advertised for at least four weeks and the public had been given the opportunity to comment upon it.

We still think that is a reasonable provision; and if I thought the government might change its mind, I would move it again this morning. We offered the government our views on this by moving that amendment in the lower house. We were disappointed that the government did not see fit to accept it, and our disappointment remains. But I am not going to take up the time of the chamber by moving it this morning, given that I know the government has already indicated it will not accept it.

Acknowledging that this is really a consequential amendment on passing of the urban growth boundary review, which was considered by this Parliament two weeks ago, I will not go into the details. But I repeat before I finish that the Nationals believe there needs to be a better and more transparent process that allows public and local government input into planning scheme amendments. I say again that the government needs to look at this section of the Planning and Environment Act and change it so that public input is made possible. With those comments, I indicate that the Nationals will not be opposing the amendment.

Ms CARBINES (Geelong) — I appreciate this opportunity to speak on behalf of the government in favour of the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan amendment.

Two weeks ago in this place — who could forget — we spent quite some time ratifying amendments to 13 planning schemes to establish Melbourne's urban growth boundary. The government did that with a very clear purpose in mind: to end forever ad hoc urban sprawl and to protect our very precious green wedges. I would like to commend Minister Delahunty for her vision and commitment to planning in metropolitan Melbourne. Her visionary planning policy Melbourne 2030 has added certainty to the planning process. The accusation made by the Honourable David Davis that there was no consultation, which he tried to prosecute two weeks ago, still does not hold today.

It is not a case of saying it will often make people believe it — it is just not true. The policy was announced prior to the election in October last year, and extensive consultation has taken place. Over 500 submissions were received in relation to the urban growth boundary and the interim location. I would say that Mr Davis's contribution this morning is more indicative of his lack of preparation on this planning scheme amendment than anything else.

As I said two weeks ago when he attempted to grandstand and filibuster during his contribution on the planning amendments, it says a lot about Mr Davis coming into this house unprepared — he was unprepared for the debate two weeks ago and he is unprepared for this debate this morning. We can only assume that Mr Davis is not Mr Baillieu's mate, Mr Baillieu has not taken the time to brief Mr Davis or anyone in the opposition. There is a clear problem in the relationship the opposition has with its shadow planning minister. Mr David Davis was making up his contribution as he was going along. It was embarrassing for the opposition. It is probably good that it is the end of the session. He can go home and have a good rest

and perhaps bone up on some of these issues over Christmas.

Before I get into the content of the motion before us today I would like to acknowledge the attendance this morning of students from Matthew Flinders Girls School from Geelong in my electorate and their interest in democracy.

Hon. Andrea Coote — On a point of order, Acting President, I think acknowledging people in the gallery is inappropriate. As much as we would like to welcome these girls, I think it is inappropriate, as it has drawn attention to the gallery, and I suggest that you suitably chasten the member.

The ACTING PRESIDENT

(Hon. J. G. Hilton) — Order! References to members of the gallery cannot be made, and I ask the member to withdraw.

Ms CARBINES — Thank you, Acting President. I am happy to comply.

An Honourable Member — Withdraw.

Hon. M. R. Thomson — No need to withdraw, the member cannot refer to them again.

Ms CARBINES — I will not refer to Matthew Flinders Girls School again.

Today we are debating an amendment to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan which will ensure consistency between it and the urban growth boundary that is now in place in the Yarra Ranges planning scheme. This regional strategy plan was introduced and devised some 20 years ago to protect the valuable environmental and agricultural resources of this very important region to Victoria.

The regional strategy plan contains policies which cover a wide range of planning and environmental issues and which are implemented through local planning schemes. The amendment being debated this morning inserts provisions into the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan to ensure that the urban growth boundary in the Yarra Ranges planning scheme and the boundaries of township policy areas are consistent. What is before the house is very much a consequential technical amendment resulting from the passing of the amendments two weeks ago. It has already had extensive consultation in the community. There has been extensive consultation with the local shire; in fact the local shire has sought this amendment.

The urban growth boundary around the Yarra Ranges shire reflects the existing urban-zoned land and township boundaries and has the support of the shire. I am well informed by government members of Parliament who represent areas that fall within the Yarra Ranges shire that the shire is very pleased to see this amendment before the house.

The Yarra Ranges shire sought the urban growth boundary around the rural township areas including the settlements of Millgrove, Wesburn and Launching Place, so it is absolute nonsense for Mr David Davis to carry on extensively in his contribution about there having been no consultation. The Yarra Ranges shire sought this amendment, and it is nonsense to label the changes in the way Mr Davis did, as ‘sweeping changes’. They are minor, technical, consequential changes that result from the fact that the urban growth boundary is now in place.

Including these areas within the urban growth boundary simply recognises existing urban areas and therefore will not lead to further expansion of urban areas. Amendment 116 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan reinforces the plan’s consistency with the Yarra Ranges planning scheme. It works to very much ensure these compact townships and their continued distinctive, village-like character are in place for the future. In doing so it is reflective of local community opinion.

Specifically this amendment introduces a reference to Melbourne 2030 into the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan. It clarifies in the township policy area that the extent of a township includes those areas mapped in the strategy plan or included within the urban growth boundary in the Yarra Ranges planning scheme. It clarifies in the landscape living policy area that there are a small number of areas that are urban in character and are included within the urban growth boundary. Within the landscape living policy area no new development or subdivision will result beyond what is already permitted, as there are no consequential amendments to zones or development and subdivision controls in the Yarra Ranges planning scheme.

The approval of this amendment will allow for the full implementation of the urban growth boundary in the Yarra Ranges shire. Importantly it has been sought by the shire, it has the shire’s support — and the shire is reflective of the people who elected the councillors as representatives — and it is the subject of extensive community consultation. I therefore commend it to the house.

Hon. C. A. STRONG (Higinbotham) — In speaking to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan, amendment 116, it is necessary, as in all planning issues, to reflect on how important it is that there is an element of consistency and longevity in planning schemes. Planning, which affects the environment in which we live, has an enormous effect on us all and our communities. One of the things we have to be sure of is that when a planning scheme, a method of planning or some planning rules are in place, they stay in place for a significant amount of time.

The Upper Yarra Valley and Dandenong Ranges area is enormously important to this state. It is a very beautiful area with some charming little towns, and we as legislators and a community should be doing everything we can to protect it and ensure that that fairly unique environment, which is relatively close to Melbourne — as urban sprawl happens it becomes closer and closer — has some consistency and uniformity in planning.

The original plan for the area was introduced in the early 1980s. It is necessary to keep it up to date, but great care needs to be taken so that as the plan is kept up to date and brought in line with new schemes — like the government's Melbourne 2030 scheme — the changes are not too significant, because they affect everyone in the area. It affects property values, the zoning of houses and shops and the value and use of rural land. They are things that for the preservation of such an important area need to be not changed willy-nilly.

As has been said by other speakers, it is true that many of these amendments have the agreement of the local council. Although we must have a great deal of respect for local councils' views, the truth of the matter is that local councils tend to be quite volatile and their views tend to change year by year, whereas the planning schemes for these icon areas, such as the Upper Yarra, need to have an element of consistency.

So there is some concern about the general principles as to how these changes come about in the amendment to the plan, and other speakers have touched on their concerns. I will not go over those, except to say that putting the urban growth boundaries around population centres is not without its risks. We can see the impacts of the Melbourne 2030 scheme quite clearly in the urban areas of Melbourne, where part of the traditional growth of our city, as in any city, is the desire of people to have their own block of land and live an urban lifestyle. But putting boundaries which are too tight around urban growth and forcing high-rise,

high-density development into existing suburbs is a retrograde step because the choice of housing model should be left to the citizens to decide. Just because you want to live in an inner suburb that was once leafy, green and had large blocks in it, why that suburb should then be attacked and turned into a high-rise, high-density area to stop expansion on the outer fringe is a question that a lot of Melbourne residents have a great deal of concern about. We need to have all types of housing models available to us.

In principle the concept of urban boundaries around some of the beautiful little towns in the Dandenong Ranges is highly desirable because we obviously do not want these towns to become part of the urban sprawl, and they will maintain their character, which is clearly desirable. However, we have to be very careful that putting these urban boundaries around these little village-type towns does not force higher density development into those towns which would militate against their charming character today. Therefore a great deal of care is needed.

As I said, it will be the local councils that will regulate the various planning schemes within those towns, and I hope they are ever mindful of the unique character of those towns and, by virtue of having an urban growth boundary, do not seek to increase the density in their towns. We must never forget that there will be significant pushes to increase the density in these towns because they are very desirable places to live. People will want to move to them, which is understandable, property values will increase and there will be an attempt to meet the demand by creating high density development. That involves some risk. Nevertheless one hopes that can be properly managed, because without doubt to stop these little towns with their village atmosphere from developing into an urban sprawl is highly desirable.

I would like to conclude by saying how important it is that the processes of consultation, of bringing people along with these changes, of informing and giving the house time to understand, appreciate and study these issues is important. Many planning scheme amendments come through this house, but an amendment to a regional strategy that covers such a unique part of Victoria requires proper attention by this house, by the very nature of its absolute icon status to Melbourne and Victoria. With those few comments and concerns, I support the amendment.

Mr SOMYUREK (Eumemmerring) — I am pleased to rise to support the motion moved by Minister Madden with respect to amendment 116 of the Upper Yarra Valley and Dandenong Ranges Regional

Strategy Plan. This is a simple consequential amendment to bring the regional strategy plan into line with the urban growth boundary.

After extensive debate Parliament ratified amendments to 13 planning schemes around Melbourne, therefore finalising the protection of our green wedges and fixing the urban growth boundary outside the growth area. As I said, the amendment before the house will ensure consistency between the Upper Yarra Valley and Dandenong Ranges Strategy Plan and the urban growth boundary that is now in the Yarra Ranges planning scheme.

Contrary to the statements made by Mr David Davis, this amendment was initiated by the Shire of Yarra Ranges and has its full support. The amendment does not in any way change the urban growth boundary, and it does not change the planning provisions the government introduced to ensure appropriate land use in the green wedge areas of Melbourne.

The strategy plan has been in place since the 1980s and was initially implemented through the Healesville, Upper Yarra, Sherbrooke and Lilydale planning schemes which originally covered the region. The urban areas affected by the changes include Millgrove, Launching Place and Wesburn. They are now included within the urban growth boundary and the Yarra Ranges planning scheme.

I understand that the purpose of the strategy plan is to assist in protecting the agricultural and environmental assets of the region and to have consistency between the local and state guidelines. This amendment recognises the existing townships and urban areas in the shire. It will not alter the zoning or the development controls of any land under the Yarra Ranges planning scheme. The amendment is important to ensure technical consistency between the Melbourne 2030 plan and the Yarra Ranges planning scheme, to together provide protection for this sensitive area.

This government has now introduced two new zones to protect the lungs of our city: the green wedge zone and the rural conservation zone. Through changes to the core planning provisions the small-lot excisions which were inappropriate in green wedge areas will now no longer be possible. In addition, by setting the urban growth boundary this government has provided a guaranteed 15-year ongoing supply of land. Melbourne is the only capital city to have done so.

The extensive, year-long consultation the Bracks government has conducted with councils, organisations

and individual citizens has paid off. I support the motion before the house.

Motion agreed to.

GAMBLING REGULATION BILL

Second reading

Debate resumed from 2 December; motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

Hon. D. McL. DAVIS (East Yarra) — I rise to make a contribution on the Gambling Regulation Bill 2003. In doing so I note that the opposition does not oppose this bill; however, it does have some reservations and will move a reasoned amendment.

The bill is very significant. It consolidates 8 of the 10 existing acts of Parliament that relate to gaming, excluding only the 2 acts that relate to the casino, into one piece of legislation. It abolishes the Victorian Casino and Gaming Authority and establishes the Victorian Commission for Gaming Regulation, which will incorporate the Office of Gaming Regulation. The commission is to assume the powers of the director of gaming and betting and the director of casino surveillance. The commission will have three commissioners, one of whom will be full time and two of whom will be part time. The executive commissioner will in my view have enormous power and influence over the entire gaming and racing industry.

The bill in theory gives more control to local government through planning and appeal opportunities. It extends the time for councils to make submissions from 28 days to 60 days and also amends the Victorian planning scheme to control gaming through various planning requirements.

The bill removes the immunity for Tabcorp in relation to shareholders. Under the 1991 legislation — I will return to that legislation in due course — there was a 5 per cent maximum holding, which was taken to 10 per cent in 2002.

Immunity relates to immunity from being sued if Tabcorp forces shareholders to sell shares if they allow a 10 per cent limit to be breached. That is obviously difficult with a varied shareholding base.

There will be prohibition on the Victorian Commission for Gambling Regulation accepting payments for costs of an investigation of a person listed on the roll, or associates. Gaming premises, which once had to renew their premise approvals once every five years, will now

get an opportunity to obtain a single approval at the start. Approval will continue indefinitely unless it is revoked or surrendered. The gambling research panel will have access to details from gaming companies such as Crown Casino, Tabcorp and various venue operators.

I want to say something about gaming in general and the position of gaming that has developed in our society. Some of us remember 1991 and the period before we had poker machines in Victoria and before the expansion of gambling occurred. I make the point at the outset that it was the Australian Labor Party in government, the Kirner government, that introduced gaming machines into Victoria and introduced the casino. That is a point that is too often forgotten.

As a candidate leading up to the 1992 election I remember, in about August 1992, watching Joan Kirner open the Skyways venue at Airport West, a remarkably large venue which has been a very successful venue. It is important to place on the record that it was the Kirner government that introduced the legislation, passed it and began to open venues around the countryside and began the casino tendering process. A former member, David White — an esteemed member of this chamber some might say — led much of that.

Hon. J. M. Madden interjected.

Hon. D. McL. DAVIS — I am being generous!

The point is the Labor Party introduced these measures to expand gambling in Victoria, and at the time the general drift was right. Whatever the reservations of people like me who do not particularly gamble might have, and many who have a social conscience in the community, in truth at that time it had gone on so long without those gaming equivalents in other states that it had become untenable. We knew poker machine buses were going over the border. These days people, who correctly have a social conscience about the impact of gaming, forget that there was a reason why those things were brought forward.

I do not attack the then Kirner government for the fact that it introduced casino gaming and electronic gaming machines into Victoria. It is important to record that for electronic gaming machines the original plan was for 45 000 machines, which was David White's target. He believed a mature industry in Victoria, on international figures and around Australia, would be 45 000 machines.

I hasten to add that that was not a figure accepted by the Kennett government, which capped the number of machines at 27 500. We decided that the expansion of gaming had gone far enough, and put a temporary cap,

and later a permanent cap, on the number of gaming machines. In fact this government followed through with legislation that institutionalised the cap that had been introduced by the Kennett government.

Given the scope and importance of the bill, it is important to go on a short trip down memory lane and put on the record with clarity some of the facts that surround this bill. I know through the 1990s the Kennett government, of which I was a member, was attacked and held responsible for the expansion of the gaming industry in Victoria. It was the Kirner government that introduced the legislation and the Kennett government that implemented it as it came to government. The casino tendering process had begun and was completed under the Kennett government. The Labor opposition under the current Treasurer, John Brumby, and then under the now Premier, Steve Bracks, complained bitterly about that process, but the process was pristine, and has never been proven to be anything other than pristine. The fact that the current government, with its promises to release all information and so on, has chosen to not produce evidence to the contrary is, in my view, powerful and persuasive evidence that that process was clean and pristine and to the highest level of probity.

It is that issue of probity that most concerns me about the bill. To be honest, I like the idea of having fragmented regulation in this area because of the probity issues. The bill will set up a system where it will go from 10 members on the equivalent body to 3. Having several bodies in the previous system, after the bill is passed there will be in effect a single body, which means you put a lot of faith and trust in a small number of people. Human beings being what they are, some are people of enormous merit and probity and others are not.

What concerns me in the longer haul — and I cast no aspersions about any individual — is that when you regulate in this way you have to regulate in a sense blind to the individuals and understand that you are setting up a system that will endure for a long period, and a system that endures for a long period should be set up in such a way that there are checks and balances, and that the likelihood of corruption or misbehaviour is minimised.

It is never possible with human-made systems to prevent misbehaviour of any kind or to have a perfect system. Human nature being what it is, we are imperfect creatures. However, we need to design systems to the best of our ability that deliver the highest level of probity and the greatest level of confidence to the community so that people can be sure that the

decisions that are made in an area like gaming, which is sensitive in a social sense but also in a revenue sense, are made for the right reasons and are absolutely above board.

I place on the record my concern about — but not my opposition to — the regulatory change. I am concerned that the reduction in the number of commissioners and regulatory bodies will leave us in the longer haul more open than we are now to untoward activities in the industry.

I want to say something at an early point in this debate — it is not my intention to make it an enormously long contribution to this debate — about the significance of this issue. It is true that overall revenue has grown massively and that it grew significantly across the 1990s. This is what you would expect. Even the most cursory examination of the issue would suggest that a new industry starting from zero would grow rapidly in numbers of machines and outlets and would rake in more and more revenue for the government. That is what occurred across the 1990s until about this year, in fact.

I want to place on the record that according to the budget the collection of gambling taxes in Victoria in 2002–03 was \$1455 million — a significant source of state revenue. It is worth putting on record the other sources of state revenue to give the house some comparison. Motor vehicle taxes were \$1050 million, taxes on insurance were \$789 million, land tax was \$611 million — —

Ms Mikakos — What has this got to do with the bill?

Hon. D. McL. DAVIS — I am talking about the revenue that comes from gaming, so it has a lot to do with the bill, Ms Mikakos. It is important to place in context the significance of gaming revenue as part of the state's revenue base. Even Ms Mikakos would agree with that: she and I have discussed state taxation across this chamber quite often. Conveyancing duty was \$1590 million, and payroll tax was \$2710 million. So gambling taxes are a very significant source of revenue in Victoria.

I also want at an early point to place on the record our reasoned amendment and the reasons why we want to place it before the house. We do not believe there has been sufficient discussion of these changes in the community or sufficient agreement across the industry about some of them. We certainly do not believe the scope of these changes has allowed sufficient discussion across the community. I have a copy of the

bill. It is something that could replace your doorstep if you needed it to.

Honourable members interjecting.

Hon. D. McL. DAVIS — I make the point that when this was tabled in the lower house there was a shortage of copies. I had difficulty circulating copies of this to people who had a legitimate interest in it. I am not alone in that. Others in this house and the other place had difficulty getting people to understand its scope. It is impossible to believe that over a period of just a few weeks this could be digested and understood by the community.

The government claims that it is tidying up things, merging a few things and making a few changes. But it is a doorstep full of huge changes of deep significance. The number of commissioners is being reduced and the number of regulators is being changed. This is very significant.

I have a reasoned amendment to the Gambling Regulation Bill. I move:

That all the words after 'That' be omitted with the view of inserting in place thereof 'this house refuses to read this bill a second time until interested stakeholders including pubs and clubs, anti-gaming activists and the general public have been genuinely consulted on the appropriate regulation of signage after an independent cost-benefit analysis of the government's proposal on signage, the government's inappropriate use of the Community Support Fund under current legislation, and the inability of the government to control or diminish serious individual problems of gambling addiction'.

The opposition will move that amendment and ask the house to accept it and thereby enable the government to go away and consult with the community on those matters and others surrounding this bill. It is clear on even the most cursory examination that there are significant issues in this bill.

I want to say too that we have a number of real concerns, and some of these will be alluded to by other speakers from the Liberal Party. The Honourable Wendy Lovell will make a significant contribution about issues concerning the changes in advertising and signage.

There are already significant bans on most types of gaming advertising. The bans that are proposed will include outside venues, print, television and radio, cinema, the Internet and unsolicited mail. There are substantial implications in this set of changes.

That will impact, for example, on brand names. People have not thought through the impact on brand names

like Crown, Tabcorp and Tattersalls — that is, Tatts Pokies.

An honourable member interjected.

Hon. D. McL. DAVIS — Tatts, exactly — and Tatts Pokies. These things need to be thought through quite carefully. This is a brand name, a registered name that has been built up over a period of time; it is a property right of sorts. I am concerned to see that there can be a whittling away of a legitimate right that somebody may have without proper and adequate consultation. I know that is perhaps not the intention of the government, but possibly an unintended consequence. The government ought to have thought more carefully about this. But the point I make is that it increases the necessity for the reasoned amendment the opposition will put to the house.

Signage outside venues is an important aspect of the bill. For example, if a venue chooses to sponsor local organisations the advertisement would then appear in that organisation's newsletter, indicating a business name, facilities and so forth. Is that going to be allowed? There is every reason to believe that these bans may impact more heavily on the smaller clubs or venues that do not have branded non-gaming advertising in the major media. I think Crown Casino and some of the other big brands may be less affected in a strange way because they have other vehicles for advertising, but I want to place on record the fact that the government has not thought through all of these changes. I know that the Honourable Wendy Lovell will make a longer contribution on some of those points.

There are also issues around unclaimed moneys from on-course and off-course betting. The period for claiming moneys will be reduced, and this will result in an estimated \$6 million windfall for the government. The moneys will be transferred to State Trustees Ltd at six months, and thereafter the unclaimed moneys process will operate. I am not sure why the government felt that this process was needed. It does seem a bit mean to me; that is the only way I can describe it. It is a bit mean, a bit petty and a bit unnecessary — but it is occurring.

Of this revenue, \$3.8 million will be used to fund the government's contribution to the establishment of the racing museum at Federation Square. I am sure the Honourable David Koch may have some views about that, but we think a racing museum is a good thing. He has been very supportive of that and has spoken at length on that subject. The dependence on this change to regulations to fund the development is a

hypothecation, a linkage if you like. I know treasurers get tetchy about hypothecations, but nonetheless this is again part of the bill. It is like many other aspects of this consolidation bill that have not been thought through clearly.

Permanent gaming staff will be required to undertake compulsory accredited training courses at venues for the purpose of identifying and reacting to problem gamblers. On the surface this sounds like a good idea, but again the implementation of these things needs to be considered, and there is a whole series of issues that have not been thought through. I know the Honourable Wendy Lovell will also make some comment on that issue. There is a whole series of issues here, but I do not think it is necessary for me to cover those on this occasion, other than to record the opposition's considerable concerns.

Junket operators to the casino will be deregulated, with the casino being made responsible for probity checks. In a sense this is pushing some of the regulatory effort down a step, and in this case that is probably justified. The casino will now be responsible for adequately checking the criminal and financial backgrounds of these businesses. I put on record again the fact that this may lead to a whole series of unintended consequences, but the opposition does not intend to oppose that aspect.

There is a series of questions I want to put to the minister in the committee stage of this bill. I hope they are not lengthy and that he can swiftly satisfy my concerns. I want to put on record in the house again, as I have done on a number of occasions recently, my concern at the number of section 85 statements contained in this bill. As I have pointed out to this chamber previously, this government came into power promising that it would not overuse section 85 statements. We accept that there are occasions where it is necessary to limit the right of people to appeal to the Supreme Court — —

Ms Mikakos interjected.

Hon. D. McL. DAVIS — I take up the interjection by the Ms Mikakos, and make the point that the Premier told the Law Institute of Victoria — a body that you are very familiar with — before the 1990 election that he would remove 200 section 85 statements from current legislation. That is what he said to the law institute. Instead more and more section 85 statements are being introduced all the time. We do not have less, we have more. This is the Premier who said — —

The DEPUTY PRESIDENT — Order! I ask Mr Davis to direct his comments through the Chair!

Hon. D. McL. DAVIS — Quite right, Deputy President. I am sure that you understand the significance of section 85 statements and how they limit the right of people to appeal to the Supreme Court.

Hon. J. M. Madden interjected.

Hon. D. McL. DAVIS — Would you like me to find the statement, Minister? I can do that — in fact I have read it into *Hansard* before in this house.

The DEPUTY PRESIDENT — Order! There is no need for Mr Davis to respond to interjections. I ask him to continue with his speech, through the Chair.

Hon. D. McL. DAVIS — You are quite right, Deputy President, interjections are disorderly.

I encourage members who wish to see Premier Bracks's statement to the law institute prior to the 1999 election about section 85 statements and how he intended to remove 200 of them from existing legislation to look it up in *Hansard*, because I am pretty sure I read it into *Hansard* in an adjournment debate.

Hon. Bill Forwood interjected.

Hon. D. McL. DAVIS — That is right. I just make the point that this government said one thing in opposition but did something quite different when it got into government.

It is my practice when I come to bills containing section 85 statements to record the fact that there are further section 85 statements, and that again the Premier has broken his promise to the people of Victoria and has limited their rights of action to take action in the Supreme Court. That is not to say that the opposition opposes the justifiable use of section 85 statements; there are occasions where it is appropriate.

Hon. J. M. Madden interjected.

Hon. D. McL. DAVIS — Great! What about the rest of them?

Hon. J. M. Madden interjected.

Hon. D. McL. DAVIS — It is about the first bill we have had in a long while that would do that, I have to say, and there are still section 85 statements in there. That is my point.

I want to return to my earlier comments and implore the house to consider the reasoned amendment fairly and to

note that this bill is a bill of some significance to the community. It consolidates much of the regulation in this area and consolidates it in a way that should give the community cause for concern, in my view.

The community has not been properly consulted on this. I know, for example, that the churches have not been fully and properly consulted on some of these issues, and I think they ought to have been. I know companies have not been able to get all of their points through to the government; and whatever you think about companies involved in gaming, and some may have a more morally driven view about their role in society — I am not such a person; I think they are undertaking legitimate legal activities, but I —

Ms Mikakos interjected.

Hon. D. McL. DAVIS — I am not saying that at all; I am indicating that on the matter of my position on some of these gaming things I would probably be more at the wowser end, I have to say. I do not have a great love for gaming myself, but nonetheless I am prepared to live in a society where I understand that other people enjoy a bit of a bet, and I am prepared to say that if people like a bit of a bet — if they want a wager, if they want to go and spin the roulette wheels at the casino — there is a legitimate —

Hon. J. H. Eren interjected.

Hon. D. McL. DAVIS — I said more at the wowser end, Mr Eren.

I think there is a very legitimate place for people to be able to undertake responsible gaming. It would be very far from my mind to restrict the fair and free right of people to undertake those sorts of traditions. After all, gaming has a long tradition in Australia, and at the end of the day much of this comes down to certain preferences, but this mini-discussion in the chamber is probably useful to the extent that it helps elucidate what is important here, and what is important is a focus on problem gambling. If the legislation can succeed in assisting in some of that, all power to that aspect of it; and if the community can find better ways through with that, I will certainly always be a supporter of that. I have seen enough of the impact of gaming on individuals and their families to know that there is a legitimate cause for concern in the community which would indicate that the community does need to do more and better in this regard.

There is one other matter I need to talk about — that is, the Community Support Fund. I could talk for a long time on the Community Support Fund, but I do not intend to. That fund is a fund that I do not believe has

been appropriately managed by this government. I think there are many criticisms that can be made, and I want to record the broader concerns that some have about the use of that fund by this government.

I know the Auditor-General has looked at that fund from time to time, and I would encourage him to maintain his close watch on the over-political use of that fund and the use of it in a way that on some occasions is not focused on genuine community need. It seems to me that the principle of community need should govern the use of that fund and the dispensing of money from it appropriately, but there is plenty to be concerned about as the system changes here.

The government shows all the signs, as I think one newspaper said in its editorial recently, of a mid-government arrogance — a government that has become increasingly distant, a government that does not listen to the community, a government that does not consult and a government that behaves in its own narrow political interests ahead of the community's broader interests. This concerns me most about the bill — that we may be setting in place something that in the longer haul may not serve the Victorian community well.

Hon. D. K. DRUM (North Western) — It is with great pleasure that I take the opportunity to contribute to the debate on the Gambling Regulation Bill.

The leader of the Nationals in the other place, the Honourable Peter Ryan, has done an enormous amount of research on this bill and has had briefings with the department to dissect the bill, as large as it is, and so forth. I have been researching this bill for about 25 years without actually realising it, and I would like to thank all those mates of mine who have dragged me along to casinos and gaming venues over the years to give me those briefings and to give me that deep insight and background into the industry to ably qualify me to stand here today!

It is amazing that the bill, although it comprises some 633 pages, does not say too much at all. There are a lot of little things in there, but the basic thrust of the legislation is to amalgamate existing acts, bringing together eight acts that control gambling and making a number of relatively minor amendments in the way in which different aspects of the gaming industry function. For the purposes of the gaming component of the industry, the distinction is retained between the two operators — Tattersalls and Tabcorp. The two bills that actually refer to the casino are not going to be touched in this legislation. In the scheme of things the two operators are quietly satisfied with the outcome, but

they also remain very nervous about the regulations regarding the signage and advertising bans that will be put in place by this legislation.

The bill contains four key elements: to establish a Victorian Commission for Gambling Regulation; to consolidate and streamline Victorian gambling legislation; to deliver various election commitments; and to effect a number of minor amendments.

The commission for gambling regulation will become the primary regulator in Victoria, and it will be interesting to see whether with the powers that will be bestowed on the regulator and the responsibilities that will be pushed towards him he is able to work towards getting the answers we are all looking for in relation to problem gambling. The commission will comprise three ongoing members, two of whom will be part time plus one full-time executive commissioner with a capacity to appoint additional sessional members as needed.

This legislation consolidates 8 of the current 10 principal gaming acts into a single act. Those acts are: the Gaming Machine Control Act, the Gaming and Betting Act, the Public Lotteries Act, the Gaming No 2 Act, the Interactive Gaming (Player Protection) Act, the Club Keno Act, the TT-Line Gaming Act and the Lotteries Gaming and Betting Act. The Casino Control Act and the Casino (Management Agreement) Act are excluded from the legislation as they are stand-alone entities. I will talk about the casino later on.

The bill also gives local government a so-called greater say in the placement of gaming machines, but really giving local government a whole raft of rights and powers that it will never use is little more than a waste of time. We already have the cap and only a handful of machines available to be put in place. Effectively we have made the legislation so tough for any further movement of machines that this legislation gives councils a lot of power to do absolutely nothing.

The legislation also deals with the banning of signs in relation to gambling, and I will talk about that later on in my contribution.

Clause 3.3.6 states that councils can make submissions on applications to increase machine numbers. Again we are talking about opportunities for councils to make submissions, but the regulations and management processes are so thick that effectively they will not be able to have much say in the proceedings. The Victorian Civil and Administrative Tribunal will have the right to review councils in relation to increases in gaming machines. In light of that review, there will be

extended opportunities for applicants, although the Nationals do not believe that that will be the case at all.

Clause 3.4.54 deals with training courses for staff. This has raised quite a bit of interest from the industry, because if you look at industry operators it is quite clear that Tabcorp already has a very responsible gambling code, as does Tattersalls. I have been given a copy of the code, and it is very conclusive. It insists that Tabcorp will train staff to identify behavioural characteristics, which may include that a person has a gambling problem, and assist them in finding appropriate help. There is a fear that this legislation will double up on what is already in place. The ability to supply training courses or to legislate for all workers in the industry to have accredited responsible gambling code training effectively duplicates what is already in the system at the moment. It will undoubtedly be another burden placed on the industry; it will be a further impost on both operators and venues. It seems largely unnecessary when there are already extremely stringent training codes for all permanent workers in the industry.

Clause 3.5.34 deals with the prohibition on publishing gaming machine advertising outside the gaming machine area of a venue or the boundaries of a casino. It excludes problem gambling advertising and technical information. Gaming machine-related signs will be banned and the exclusion will be prescribed by regulation. Such exemptions are expected to provide for information and directional signage. In some respects that is a bit ambiguous, but the regulations will decide what type of signs will be allowed and disallowed. Mr David Davis made a good point, which has been a bit of a rarity this morning. He asked: what happens to places like Tatts or Crown Casino that are synonymous with gaming machines? If we are going to ban the standard Tatts pokies signs outside gaming venues because they are supposedly sending a signal to a problem gambler that there are gaming machines inside, surely we will have to look just as closely at all of the signs surrounding Crown Casino.

Where is this legislation going to stop? Where is it going to pick its mark? It is ambiguous and it is cumbersome. I do not understand how the government is going to make this particular part of the legislation work.

I would like to talk more about signage. Whilst the government has said that part of this bill will deliver on election commitments, nowhere in its election commitments did it ever mention restriction on signage. It has plucked this one out of the air. We do not know where it has come from. The investigation that will go

into regulating gaming venue advertising will come up with these regulations. I do not know the process that it will employ, but it seems strange that no investigation has happened so far. This government has been in power for four years. As yet it has been unable to come up with one piece of statistical evidence about restricting the advertising of these gaming venues. Not one shred of evidence suggests any relationship at all between advertising of the gaming venue and helping problem gamblers. The government has plucked this ban, these restrictions and limitations, out of thin air and put them in place. We do not know the final effect until the investigations have taken place. It is staggering that there is no scientific research that will go hand in hand with these bans to back up what they are doing.

The type of research I would expect the government to come forth with would be something akin to the report by Blaszczyński, Sharpe and Walker, commissioned by the University of Sydney Gambling Research Unit. This report has been quoted several times in the chamber. As we understand it, it is about the only substantial report that has total credibility within all the states of Australia, and it is the only report that has tried to find and identify this character we call 'the problem gambler'. We pluck at things, we do all things and we introduce all sorts of weird and wonderful restrictions and regulations and legislation, but this is the only completed study, done by a credible organisation such as a university, where it has specifically targeted who is the problem gambler. What makes him tick? What gives him the problem?

This government is introducing a whole raft of restrictions and legislation here, but it has not gone anywhere near trying to copy or build on the work done in the Blaszczyński report. I would like to quote some of the summaries. On page 41 it says:

The bulk of evidence presented in this review falls far short of the gold standard. There is some evidence that suggests possible changes that may be effective in minimising harm. However, in all cases the evidence remained inconclusive. While there is undoubtedly a need for effective harm minimisation strategies, it is imperative that these are evidence based.

That is all we are asking. Where is the evidence?

If strategies are introduced on the basis of face validity, they may be ineffective at targeting problem gamblers, or worse may have unforeseen negative consequences.

Again the report says if we do things without evidence-based knowledge, we have the possibility of actually making an already terrible situation worse. Blaszczyński tells people in the summary of this report that the recommendation is that a strategic plan is

developed to assess the efficacy of harm minimisation — —

Honourable members interjecting.

Hon. D. K. DRUM — Efficacy! It took a little while to get around it. It is easy for me to say.

It is quite clear what Mr Blaszczyński and his partners were saying. I would also like to read some of the additional number of findings that warranted consideration for further evaluation. Page 43 says:

There is some evidence that gambling increases with the increased intake in alcohol.

I think we can all vouch for that. Another part was that:

There is some evidence to indicate that strategies that encourage tokenisation may encourage risky gambling.

I think all this stuff is very good, because it clearly makes sense. If we are going to take \$20 out of your pocket and substitute a little chip, obviously you are going to increase your risk taking because you do not clearly associate the little chip or token with the \$20 of its true value. That is why they are saying there is a relationship between tokenisation and risk taking. Another finding is that:

...reducing the maximum lines on a machine may be considered.

He thought the maximum lines that you play over and above the credits that you take was more important to fix up than the amount of lines that each of these electronic gaming machines has. They also found that characteristics such as free spins and the 'gamble' button also increased risk taking. Finally, there is:

...research that supports the relationship between beliefs, arousal and continuation of gambling.

They are trying to find out what makes the gamblers think they are going to win when we all know that a gaming machine returns 87 cents for every dollar you put in it. Yet they are trying to work it out:

Strategies that reduce the illusion of player control, that reduce player's belief that they nearly won or that reduce the level of arousal associated with the game would be worthy of exploration. Research that first explores these within the laboratory should be encouraged.

I repeat: research that first explores these within the laboratory should be encouraged! Actually we need to encourage this government.

This government should not need any encouragement. With the \$1 billion it receives annually from electronic gaming machines (EGMs) it should have been

completing its third, fourth or fifth study into problem gambling. It should not be just saying it is doing a good job, it should be doing something about it. We all know this government is doing nothing to help the problem gambler in this state.

Clause 3.6.4 provides for the hypothecation of the health benefit levy, based on section 135B of the act. When the government was in opposition Mr Pandazopoulos, now the Minister for Gaming in another place, was extremely outspoken and called for the hypothecation of all funds from gaming revenue to be redistributed back throughout the regions that were generating them. Mr Pandazopoulos said a discussion paper would be released to explain how regional and suburban caps would operate. He also said they would canvass a more accountable process for the Community Support Fund.

We all know it is fine to stand up and say, 'We are going to do a better job for people in regional Victoria. We are going to hypothecate the money raised in the regions and give it back to the regions'. Saying one thing when in opposition and then doing something totally different once in power is par for the course for this government.

In a media release dated 15 February 1999 Mr Brumby, now the Treasurer, was quoted as saying:

... the Geelong region highlighted the massive disparity between what many communities are raising in terms of Community Support Fund revenue and what they are receiving back from the Kennett government.

That was in 1999 before the election. Mr Brumby then joined with Mr Pandazopoulos in letting Victorians know the regions were not getting their fair whack of their contribution to the Community Support Fund returned to them in the form of the Community Support Fund projects that are dished out by the government.

I have some figures on how much this industry is contributing to government revenue, and I ask members to take note of them. In Geelong there are 614 EGMs in pubs and 808 EGMs in clubs. If we simply look at the 33 per cent the government takes and puts straight into government revenue, we see the government is taking out of Geelong more than \$30 million a year. When you include what is being tacked on for the Community Support Fund, you find that it is in the vicinity of \$40 million a year that is coming out of Geelong in gaming taxes and Community Support Fund moneys.

Around \$17 million is coming out of the Ballarat region and going into government revenue in one form or another. In Bendigo the sum is around \$15 million,

both in taxes and Community Support Fund revenue, that is going towards the government every year — and on it goes. If we look at cities like Shepparton it is over \$10 million; and for the Latrobe Valley, which includes Moe, Morwell and Traralgon, around \$15 million to \$17 million is coming out of those areas.

They are exceptionally high numbers. Victorians need to know how much of the proceeds from what they are putting into the machines is actually going straight to the government, because at the other end of the dice, when people look to see what is coming back their way, the story is not very flash. It is okay for Mr Brumby and Mr Pandazopoulos to say nice things when in opposition, but now they are in a position of power and have the opportunity to start returning some of that money to the regions.

Since 1992 Bendigo has received about \$4 million in the form of Community Support Fund projects. While it is contributing \$15 million per annum, it has received in the vicinity of \$4 million through the Community Support Fund. I am not just talking about Community Support Fund money but about total taxation and Community Support Fund money combined.

Since 1992 in Ballarat \$6 million has been returned through the Community Support Fund. In the vicinity of \$17 million per annum in gaming taxes is being taken out of that region by this government.

I refer to Geelong; it is an absolute beauty. We never hear any of the members from Geelong get up in the chamber and ask the government to give them a better whack. They never criticise the government, which takes in the vicinity of \$40 million per annum out of that region in relation to gaming machines — and Ms Mikakos might not like it.

Ms Mikakos — They are doing a fantastic job of advocating for Geelong, and you know it.

Hon. D. K. DRUM — If they are doing such a fantastic job in advocating for Geelong, why do the figures from the Community Support Fund tell us the region has received about \$5 million for specific projects since 1992?

Hon. J. M. Madden — There are a lot of indirect grants.

Hon. D. K. DRUM — I am sure there are a lot of indirect grants. People might want to ask, 'What is this government doing with the money?'. It is a pretty commonly asked question these days.

My particular issue is with the Community Support Fund and what the government is doing with that. All it is doing is keeping the money to itself and saving what we have always understood to be departmental expenditure. For as long as we can remember governments have been funding standard programs through the normal departments. That is what they do. They build libraries through local government departments; that is their job. They fund prisoner exercises out of the corrections department.

What it is doing now is keeping those funds, and we are funding the programs out of the Community Support Fund (CSF). The whole philosophy of where the Community Support Fund came from and where it is at the moment needs to be explored.

I would like to read out some of the items that are funded under the Community Support Fund. We know about the Living Libraries program; I have just mentioned that. The fund is now building libraries. This government is keeping money that other governments throughout the history of this state have used as part of normal departmental programs to build and maintain libraries. This government is now keeping that money and using gambling proceeds to brag about the Living Libraries program.

Another of the items here is the lesbian cancer information project. Why are we looking after lesbians with cancer? Why do we not look after all women with cancer?

Honourable members interjecting.

Hon. D. K. DRUM — They have got a special program here, where they have received \$25 000 out of the Community Support Fund. Why is the health department not looking after these people? It is a health department issue, but somehow or other the government has been able to take \$25 000 out of the communities of Victoria to help on this health issue.

There is also preschool funding; it should be funded out of the local government department and not out of the Community Support Fund. It just goes on. There is another item here: intensive post-release drug treatment for prisoners, for which \$27 million has been taken. Here is another one: drug strategy, \$27 million. More than \$54 million has been taken out of the Community Support Fund and spent on drug strategies.

Ms Hadden — It is called rehabilitation.

Hon. D. K. DRUM — Why does the corrections department not pay for these things? And why do we not use these things — —

Honourable members interjecting.

Hon. D. K. DRUM — I am quite happy to go on the record as saying that the Community Support Fund should be to — —

Ms Hadden — To what?

Hon. D. K. DRUM — To beautify and to take these communities to another level. It is absolutely — —

Ms Hadden — You are not serious, are you? Beautify?

Hon. D. K. DRUM — I am serious. This is daylight robbery. Again, the government is guilty of using Community Support Fund moneys for its own slush fund. By the way, it is not the only government to do this, but this government is the best yet, by the length of the straight, at keeping these funds to itself and roting the system.

Some of the areas where this government is spending our Community Support Fund moneys are quite out of the ordinary. My argument is based on the fact that this government is already receiving \$1 billion in taxes out of gaming. It has ample funding in the \$1 billion it is receiving as a straight out-and-out tax. Why does it need to take the \$130 million that is to be spent for the good of all communities? Why does it need to fund all these programs — which might be legitimate programs — out of the \$130 million in CSF funds? Why can it not fund some of these drug programs, health programs, education programs and corrections programs out of the \$1 billion it receives in straight-out taxation?

Hon. R. G. Mitchell interjected.

Hon. D. K. DRUM — It is called being a part of the community, Mr Mitchell, and bringing into Parliament the needs, the wishes and the desires of the people you represent.

Among the other issues I need to talk about are the unclaimed wagering dividends within the totalisator agency. That is fine; we understand that. But we do not understand why funds that have not been claimed have to be made available to Treasury after 6 months. It is currently 12 months, but now funds will have to be made available to the Treasury after they have been unclaimed for 6 months. This matter is covered on page 3 of the National Party bill report.

One of the issues is that punters will still be able to recover their winnings at any point in the future. This is an interesting aspect. If a punter has a winning ticket at

the casino and it is unclaimed after 6 months, the funds are transferred to Treasury. What then happens to the money? Who will actually pay the claimant when he comes along to get the winnings from the casino after 8, 9 or 10 months? The money has already been passed on to Treasury. Does the gaming venue have to pay the punter, and then does it have to get a — —

Ms Romanes interjected.

Hon. D. K. DRUM — Under age, I am not talking about people who are under age; I am talking about unclaimed winnings that have to be deposited with the Treasury and how they will be paid to the claimant when they come to collect their winnings.

Page 39 of the briefing notes refers to the setting up of the gambling research panel. We are very keen to see how this will operate. The notes refer to provision for the continuation of the gambling research panel as a body corporate which is a public authority and represents the Crown.

The panel will commission and monitor research relating to the social and economic impact of gambling, causes of gambling and strategies to minimise harm from gambling. The bill mentions that the panel will publish the results of that research. That is something that the National Party is keen to see. We hope the published results will bring to the fore these areas of concern. The bill clearly defines the broad function of the Community Support Fund. I believe the fund leaves itself open to be abused by all forms of government, and I have already spoken about that.

Another division of the Community Support Fund points towards the Mental Health Fund. When you look through some of the issues in relation to that — establish and maintain an approved mental health service; establish and maintain residential institutions; administer the Mental Health Act 1986; administer the Intellectually Disabled Persons' Services Act 1986 — it is clear that these funds also are not being directed to the mental health sector, which would be something that the whole of the community would be glad to see happen. We know for sure that that is not happening.

There are some other issues that I would like to raise about the Community Support Fund. One of the major projects within the western suburbs of Melbourne is the Sunshine community swimming pool. The pool has been promised to that region for a number of years. It was to be funded out of the Community Support Fund. I am of the understanding that that project is now on hold due to the freezing of the fund. That is going to

cause an awful amount of embarrassment if the project does not go ahead.

As an aside, the government made public its intention to try to bring forward the duopoly agreement into this term of government for a decision that is going to take effect in 2012. We have to ask serious questions about why a government would be attempting to bring forward the decision now — I think it is talking about 2006, by the end of this term in government — to strike a deal that is going to take place in 2012. It would be fair to think that whichever party is in government in 2012 when the new agreement will be struck would be the recipient of any moneys taken over as a result of the new agreement.

For this government to be in a situation where it will ask for a \$2 billion to \$3 billion injection of moneys from the 2012 agreement to be spent in 2006, or 2007 or 2008, is clearly and morally wrong. The people of Victoria will not accept the fact that this government will be bringing forward and taking a loan out on something that will affect future Victorians. This is not based on which party is in power, because we do not know which party is going to be in power.

All I am saying is that this money belongs to the government of 2012; it does not belong to a government that is in power six and seven years before the actual decision becomes available. If the government wants to seize up a contract and make the agreement strong and binding now to give some confidence — some stability — to the industry, then that is fine; but the bringing forward of any moneys in the vicinity of \$2 billion to \$3 billion is simply unethical.

In this 600-odd-page document about gambling, nowhere does it mention truly credible studies that have been done to target problem gambling. Nowhere is there mention of the biggest threats to gambling in this state at the moment — namely, the betting agencies and Betfair. People are turning to computers, going online to gamble, and Betfair offers gamblers the opportunity to play the role of punter in betting on which horses and teams will win.

These systems are prepared to take odds and a lot of the professional punters — indeed bookies — are turning to Betfair as a way of laying off odds when they are too heavily exposed with one particular outcome. They will turn to Betfair, and go online to lay bets. Consequently millions and millions of dollars are being bet through the betting agencies, all of which are offshore companies. Australia and Victoria do not receive a single cent out of the registrations and commissions that

standard bets accumulate as revenue for the state via the fact that they are all registered with the TAB and pay appropriate registrations and fees. We need to look at this serious issue. It is costing the industry millions of dollars every year.

What is the government going to do about it? What is the government going to do about enforcing registration fees? What is the government going to do about enforcing a percentage of the turnover to be paid to the federal or state revenue coffers? At the moment they are receiving absolutely nothing, and there is not one mention in the bill about this government attempting to tackle the issue of betting agencies.

The bill deals with the issue of stolen moneys. The government expects clubs, casinos and hotels that operate gaming venues to know which of their patrons are feeding stolen money into the venues. It is absolutely impractical and impossible for operators to try to work out which of their patrons are putting stolen moneys or legitimate moneys through the machines. Yet down the track if any criminal is found guilty of embezzlement or theft and is asked, 'What happened to the money?' and if their answer is that they put it through the casino, through a gaming venue, those establishments will be liable for the return of those funds. I do not understand how this is going to work in a practical sense.

The moral of the situation is fine, if it can be proved beyond a shadow of a doubt that it has been lost to a certain area; but it does not go into the practicalities of how it is going to work. We know that the casino has a lot of international visitors who deliver a lot of money to the state of Victoria. I think it would be nearly impossible for the casino operators to know which of their many visitors were in fact gambling with stolen money.

Another part of the bill which I have some concerns about is clause 3.4.27 which relates to the suspension of a gaming operator's licence pending criminal proceedings. If somebody launches criminal proceedings against a gaming venue operator, their licence will be suspended immediately. In question time during the week the Minister for Consumer Affairs answered a question about the property investor, Henry Kaye. He clearly said we have to be very careful about presuming people's guilt before they are actually —

Ms Hadden — Presuming they are innocent.

Hon. D. K. DRUM — Well, we can't presume they are guilty and simply —

Ms Hadden — The presumption of innocence.

Hon. D. K. DRUM — Well, you're getting me on a technicality there, with your legal background.

What we have to be careful about is the impression that we are presuming they are guilty by suspending their gaming licence. We have to give them the benefit of presumed innocence until it is proven otherwise. By doing what we are doing with this legislation, I do not think it can be argued that we are doing that.

Another of the imposts we are placing on the clubs is forcing them to contribute to the community in an adequate manner, and this is an excellent part of the legislation. There are many clubs which in some respects could be thought to be hoarding money and keeping it from the community. There are gaming venues that might be supplying a bowls club or a little workers club, but the question is always whether that club is doing enough for the people of Victoria and their region?

We are now making sure that these clubs contribute to the community. They will have to fill out community benefit statements guaranteeing that they are good corporate citizens. Surely the inference is that if you are a good corporate citizen and you are putting money back into the community, maybe you do not need to pay any additional money to the Community Support Fund. The biggest problem with this is that in two regional centres in country Victoria — Bendigo and Ballarat — two venues are going to lose their ability to act as clubs, and they are going to be forced to contribute to the Community Support Fund.

Ms Hadden — Which clubs?

Hon. D. K. DRUM — Zagames in Ballarat and the All Seasons International Hotel in Bendigo. Currently All Seasons is contributing \$300 000 to the community through sponsorship.

I would like to have incorporated in *Hansard* a three-page list of community groups from all over Victoria which benefit from the All Seasons club.

Leave granted; list as follows:

THE ALL SEASONS DONATIONS AND SPONSORSHIPS

(2 DECEMBER 2002 TO AUGUST 2003)

ORGANISATION

Sedgewick CFA
Shepparton News Drought Relief Campaign
Victorian Christian College
Girton College
Worldskills Australia — fund raiser

REIV fundraiser
Marong Racing Club fund raiser Catholic Primary Schools
RSPCA
Charity Auction — Peter Harcourt Disability Services
Flora Hill Secondary College
Relay for Life — Cancer
Eaglehawk Dahlia & Arts Festival
Bendigo Police fund raiser
East Wimmera Health Services
Guide Dogs Victoria
Order of Aust fund raiser
Catholic College Bendigo
St Laurence Court — Trivia Night
St David's Anglican Church
Neale St Nth Preschool
Heathcote Preschool
Lockington United Netball & F/ball Club
St Joseph's School P & F Ball
Charlton & District Ambulance Auxiliary
Bamawn Extension CWA Association
Strathfieldsaye Primary School
St Peters Primary School
Victorian Police — Bluey Day
Western Bull Dogs Fundraiser
Wedderburn Hockey Club
Salvation Army
Durham Community Ball
St Michaels Wycheproof
Deniliquin Golf Police Day
St Mary's Primary Fete Newborough
Axedale Preschool Inc — golf day
Y's Menettes Youth Group Bendigo
Bendigo Amateur Soccer League
Eaglehawk Dahlia & Arts Festival
Holy Rosary School
Guide Dogs Association
Epic Association Charity Auction
Epic Association Charity Auction
Bendigo Steam & Oil Engine Day
CIKA Cancer for Kids Children's Hosp
Neale St Preschool Fathers Day Raffle
Neale St Preschool Christmas Raffle
Friends of Oncology Bendigo Hosp
Heathcote Primary School
Rural Ambulance Auxiliary
Tabcorp Bushfire Appeal
Tabcorp Bendigo Taxi Rank
Bendigo Tourism
Rochester Primary School
Kennington Primary School
Marong Primary School
Cheryl Clarke
Fiona Johnston
Workcomp Insurance Advisers
Corina Gaffney
Danielle Lincholme
Robert Papworth
Mt Alvernia Cardiac Service Auxiliary
St Therese's Junior Football Club
Bendigo Rotary Club
Sedgewick Fire Brigade
Victory Christian College
Worldskills
Kirsty Sword Gusmao First Lady of East Timor Fundraiser
Australian Institute of Office Professionals
Relay for Life — Anti Cancer Council Event
Eaglehawk Secondary College

Melbourne Zoo
 Ian Alexander
 Stan Farley
 John Barclay
 Caroline Byrne
 Harvey World Travel Fundraiser
 Mr & Mrs Singleton
 Steve Campbell
 Mrs Hammond
 Kevin Breen
 Mt Pleasant Football Club

Hon. D. K. DRUM — As I was saying, clubs are going to have to prove they are good community citizens by filling out community benefit statements.

In Bendigo, the proprietors of the All Seasons Hotel and Pat and Paul Sheehan at the Rising Sun Hotel are fantastic people, contributing some of their profits back into the community. Bob Vagg at the Shamrock Hotel also contributes an enormous amount of his finances to the community to support, sponsor and help a whole range of clubs, schools and organisations. Surely the inference with this legislation is that provided you have been a good corporate citizen you do not need to make any additional payments to the CSF. Bendigo is going to be a loser from this legislation because it is currently getting over \$300 000 from one establishment, which is spread far and wide around the region. If we are now going to force All Seasons, for example, to commit to the Community Support Fund, its contribution will be in the vicinity of \$500 000. Once this legislation takes effect, the money is simply not going to be there for organisations like the All Seasons to look after the people of Bendigo in the manner in which they have for the past 10 years.

I would like to finish by referring to an article in the *Age* of 26 September 2003, which states:

Dr Clive Allcock, a psychiatrist at Cumberland Hospital in Sydney who has spent 25 years treating problem gamblers, said Australians inherently liked a punt.

...

The history of Australian gambling goes back to the first convicts in 1778 —

and it goes on to say a few other things about Sydney Cove and so forth.

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

Ms MIKAKOS (Jika Jika) — I am pleased to be speaking on this bill, which represents a significant reform of Victoria's gambling legislation. This bill responds to the recommendations from the review of the Victorian government's arrangements for gambling regulation undertaken in 2002 by a high-level,

interdepartmental committee. The review found that the regulatory framework needed to be streamlined, and it also recommended the consolidation of existing legislation. The government is also using this opportunity to fulfil a number of commitments in the area of gambling regulation that it made prior to the last election.

The bill provides that the establishment of the Victorian Commission for Gambling Regulation will replace the existing three statutory regulators — the Victorian Casino Gaming Authority, the director of gaming and betting and the director of casino surveillance — with a single new authority. The commission will be a statutory body with three ongoing members — that is, a full-time executive commissioner and a part-time chair and deputy chair. The power to appoint additional sessional members for specific matters or on a standing or temporary basis is also provided for in the bill. This will enable additional members to be appointed to deal with increased workloads.

The commission will perform all the functions of the three existing gaming regulators, subject to new guidelines promoting greater timeliness, responsiveness and educating the public on its regulatory practices and requirements. Staff of the bodies to be replaced by the commission will continue as staff of the new commission. The Public Sector Management and Employment Act will govern their employment.

The bill consolidates eight existing pieces of legislation. This was a recommendation of the 2002 review. The bill does not include the Casino Control Act or the Casino (Management Agreement) Act because they relate to a stand-alone facility to which different and more stringent controls apply.

I note that at the outset of his contribution the Honourable David Davis commented on the size of the bill. As I said, this bill replaces eight existing acts. I have not counted the number of sections in those acts, but I can inform the house that the new bill is less than 4 centimetres thick and the eight acts are less than 6 centimetres thick, representing 2 centimetres less legislation on the statute book. However, I can tell members that this is one occasion when size does not matter. The government has streamlined and consolidated the legislation to provide greater certainty for all stakeholders. I urge members to consider the substance of the bill and the benefits it will bring to Victoria by putting Victoria at the forefront of modern gambling regulation. I turn now to the provisions in the bill which represent the government's delivery of a number of election commitments.

All applications for new gaming venues submitted to the new commission for gambling regulation will need to be accompanied by a planning permit, an application for a planning permit or evidence that a planning permit is not required for the venue. This provision will apply only to new venues, although local councils will be able to make submissions to the commission about the potential social and economic impacts of an application for additional gaming machines in an existing venue. Local councils will have 60 days to make submissions to the commission, increased from the present 28 days.

Local councils will also have a right to seek Victorian Civil and Administrative Tribunal review of commission decisions in relation to new venue applications and applications to increase the number of electronic gaming machines in existing venues. This new process will give local councils an improved opportunity to have a say in the regulation of gambling in their areas.

This government is committed to reducing problem gambling. Control of gaming advertising is an important aspect of this commitment. Accordingly the bill will ban all forms of advertising outside the gaming area of an approved venue or the boundaries of a casino that promote or are intended to promote the playing of gaming machines. The ban will not apply to advertising about problem gambling or the provision of technical or operational information about gaming machines. These measures will be the toughest in Australia and will cement Victoria's position as a leader in responsible gambling legislation. Gaming venue operators will still be able to promote their facilities through solicited advertising where the recipient has specifically requested to receive it. This means unsolicited advertising will be banned. Gaming loyalty scheme providers will be allowed to send gaming machine advertising to their members.

The bill also bans gaming machine-related signage and provides for exceptions from the signage ban in regulations. These regulations will be developed next year through extensive consultation with all key stakeholders and the broader Victorian community. I do not wish to pre-empt the outcome of this consultation, but the second-reading speech for this bill envisaged that the regulations will allow signage within the gaming areas of venues and some directional signage such as signs indicating entrances to gaming rooms.

In essence these bans will remove prompts that may influence the 2 per cent of people who have trouble controlling their gambling behaviour. The Victorian government has done a great deal to support research into gambling and this state leads the field in that area.

In our first term of government we established the independent gambling research panel. We are presently spending more than \$1 million annually supporting gambling research. Victoria has signed up to a national research program with other states, territories and the commonwealth. In recognition of the fact that this state is at the forefront of such research, the secretariat of the national program will be based in Victoria.

In response to members on the other side of the house who want rock-solid evidence that advertising bans are a complete panacea, I say that, unlike the previous government, Labor is committed to tackling problem gambling. Do members opposite want us to sit on our hands and do nothing? Being at the forefront of gambling regulation we are often exploring areas yet to be explored by other jurisdictions or researchers. We are continually dedicating funds to gambling research and early intervention and problem gambling services. Victoria also has one of the toughest regulatory regimes in the world.

Opposition members are confused about the ban on advertising signage. It will not, as they postulate, spell the end for gaming venues. Again without pre-empting the outcome of consultation with industry and other stakeholders, it is likely that operators will still be able to have a reasonable level of signage outside venues and for directional purposes. These bans will not be immediate. The gaming industry will have plenty of time to adjust to the new requirements. The ban on advertising will come into effect six months after the proclamation of the act. The signage ban will not take effect until 12 months after that date.

Another election commitment met by the bill relates to the obligation of gaming venue operators to ensure permanent gaming staff undergo training in the responsible provision of gambling. The course they undertake must be approved by the commission. It is envisaged that the training course or courses will include training in recognising and responding appropriately to problem gambling behaviour. This obligation will not apply until 12 months after the commission first approves a course. This will allow sufficient time for all current employees to complete the course. There may be opportunities for recognition of prior learning for those staff who have already undertaken a course if the approved course is similar to the one they have completed.

I turn now to the issue raised by the Honourable Damian Drum in relation to the change in status of two Tabaret venues in Bendigo and Ballarat. Those venues will now be treated as clubs under the provisions of the Gaming Machine Control Act 1991. Addressing this

inconsistency will ensure that all hotels across the gaming network are treated equitably and are expected to contribute equally to the community via the Community Support Fund. These venues will be given until 2009 to adjust to the new legislative requirement.

I note that a former Leader of the National Party, the Honourable Roger Hallam, sought to extend the sunset requirement for these two venues. There seemed to be some sort of secret arrangement. It is highly unusual for such an approach to be taken.

Turning briefly to the point made by the Honourable David Davis in relation to the Supreme Court's jurisdiction, I note that the bill will re-enact the limitation of the court's jurisdiction currently contained in the Gaming Machine Control Act 1991. However, the limitation on the Supreme Court's jurisdiction relating to applicants for special employee licences has not been re-enacted.

Turning briefly to the opposition's reasoned amendment, and in particular to the issue of consultation, I emphasise that a very important feature of the development of this bill has been the significant level of consultation. That will continue in respect of the signage regulations which are to be developed, as I have indicated. During the development of this bill the Department of Justice distributed an information paper to all interested community stakeholders. They were invited to meet with departmental officers as part of a significant number of consultations with industry, community and religious stakeholder groups. The opposition was briefed a number of times, as was the National Party and the Independent members of Parliament in the other place. In addition stakeholder groups were invited to attend briefings after the bill was introduced in the Legislative Assembly.

It is important to note that we have heard a lot said by members of the opposition and the National Party, but we have not heard what the Liberal Party's policy — or the National Party's policy, for that matter — is in relation to gaming. Members of both parties argue that we rely far too much on gaming revenue, but they do not tell us what they would do. Mr Smith, the Liberal member for Bass in the other place, said in a radio interview on 3AW two months ago that he had not yet drafted the Liberal Party's gaming policy despite having been the opposition spokesman on gaming for a year. The Liberal Party, as we know, is the secret cheer squad for the gaming industry, but it does not have the guts to admit it.

The opposition amendment also refers to the Community Support Fund, the opposition raising

spurious arguments about the CSF and what it is used for. I am pleased to have the opportunity to briefly outline some of the great projects and programs that are being made possible by CSF funding. The fund is a major part of our efforts to strengthen local communities, from the suburbs to the smallest towns. It has allowed the development of hundreds of local projects as well as projects of statewide significance that benefit every Victorian.

Netball courts, swimming pools, skate parks and other sporting facilities are being built in Northcote and Caulfield, Minyip and Robinvale. Local projects such as library expansions in Mooroopna and Horsham and new performing arts centres in Sale and Hobsons Bay are benefiting from CSF funding. Emergency equipment for critical services such as the Country Fire Authority (CFA) is being funded from the CSF, along with gambling prevention services. In three years the Bracks government has invested more in rural Community Support Fund projects than the Liberal-National government spent in six years. I do not want to even address the Honourable Damian Drum's extraordinary comments and his narrow-minded view of what constitutes the community.

I put on the record that some very significant statewide community programs are being funded from the Community Support Fund, and they are providing huge benefits to our local communities. As opposed to the Kennett government, which frittered away CSF money, the Bracks government is using the fund to invest in our communities. We have spent \$45 million on drug prevention and treatment, including new services such as the first drug rehabilitation beds in Ballarat, Bendigo and Geelong, the new youth drug residential service in Eltham and counselling services across Victoria. Over \$3 million a year has also been provided to help the CFA and the State Emergency Service replace equipment and support their vital pool of volunteers, who protect all Victorians.

We have also put \$24 million into problem gambling prevention services, which have benefited the whole of the state. We have seen net expenditure in my electorate — which has one of the highest levels of expenditure on gaming machines in the state — decline thanks to the more transparent reporting requirements and problem gambling initiatives introduced by the Bracks government. As a government we are not about denying members of the community the right to gamble; what we are about is promoting responsible gambling and putting measures in place that reduce the level of problem gambling. We are not shying away from these hard decisions.

In concluding I take the opportunity to acknowledge the contribution of Sarah Harvey, from the Department of Justice. Sarah and the minister's advisers have briefed government and opposition members comprehensively on this legislation. They have done a lot of significant work in putting this legislation together, and I thank them for that.

This is an important bill that should be supported. It is very important that we tackle the fundamental issue of problem gambling. It is also important that we consolidate the legislation to provide greater certainty for all stakeholders. The opposition amendment is a nonsense. There has been significant consultation, and we are constantly seeing Victoria derive benefits from the Community Support Fund. I urge members to support the bill and to oppose the opposition's amendment.

Sitting suspended 12.58 p.m. until 2.02 p.m.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Budget: update

Hon. PHILIP DAVIS (Gippsland) — I direct my question without notice to the Minister for Finance and Acting Treasurer. I refer to the budget update released today and ask: why has the update been released at least one month ahead of the usual time, and why has the update not been released by the Treasurer?

Mr LENDERS (Minister for Finance) — Firstly, the update is being released by me, as Acting Treasurer, because the Treasurer is overseas on government business for three weeks. He left last Wednesday, and as Acting Treasurer I have been waiting for questions in this place.

Secondly, why is it being released now? The mid-year budget update is a new initiative of the Bracks Labor government as part of its open, transparent and accountable government. The requirements of the act are that it either be released on a sitting day or on 15 January. Last year, as Acting Treasurer, I released it on 15 January because there were no sitting days in time to complete it because we had had an election and neither house was in session. As part of an open and transparent government we had the information available and released it to enable the Victorian community to see the update of the budget after six months.

The Victorian community can look at the estimates of revenue and expenditure the government made in May when the budget originated. The Victorian community can see the additions in policy during the time since the budget was first released, can see how the government's budget estimates are tracking and can make informed decisions.

This government is into open and transparent government. We have presented a budget update which shows the adjustments that have been made since that time in May. If we think back to May we recall it was a time when we were still in the grip of a very severe drought, and whilst the drought has not lifted for the whole of the state obviously there has been rain in a number of areas. May was a time when we were still far more in the grip of the downturn in the economy due to severe acute respiratory syndrome and a range of other issues. May was closer to the period of uncertainty in international markets and a range of things.

The budget update is out and is there for the community and the Parliament to look at as part of open and transparent government, and I urge all members to peruse the document closely.

Supplementary question

Hon. PHILIP DAVIS (Gippsland) — I thank the minister for his response. However, given that tax revenues are \$400 million above budget and public sector wages are \$200 million over budget only five months after bringing down the 2003–04 budget, what is the government hiding from the Parliament and the people of Victoria about the real state of Victoria's finances by bringing out this update early?

Mr LENDERS (Minister for Finance) — Sometimes when I sit in this place it reminds me of my childhood going to the Warragul show. There were things called laughing clowns, looking this way and that way. That is exactly what the opposition is doing in this place and in the other place — Mr Clark is in the gallery and noticed as well. In one breath the opposition is saying the budget is in absolute crisis, we are hiding deficits, we are hiding all sorts of nasty things, and then it swings to the other side, probably the left in this case, and says there are huge surpluses. Mr Philip Davis in this place a few weeks ago was talking about the Better Roads fund and hiding surpluses. One day the opposition says the government is hiding deficits, the next day it says the government is hiding surpluses.

I would say the material point is that the budget update reports a few things. The budget update reports that the operating surplus is up from — —

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

Sport and recreation: equipment replacement

Hon. S. M. NGUYEN (Melbourne West) — I have a question to the Minister for Sport and Recreation, the Honourable Justin Madden. I ask the minister to inform the house of how the Bracks government assists community sporting clubs in Victoria that suffer loss or damage to sporting equipment due to events such as the recent storms?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I thank the member for his interest in this particular issue. Unfortunately events like the recent storms often cause irreparable damage to equipment owned by sporting and recreational clubs. I am pleased to advise the house that the Bracks government's Emergency Facility and Equipment Replacement Fund allows community sporting clubs to apply for assistance in replacing sporting and first-aid equipment lost or destroyed due to flood, fire, theft or even vandalism. Up to half the value of the equipment lost to a maximum of \$2000 may be compensated through this program.

Over the past 12 months we have been able to allocate over \$13 000 to 18 community sport and recreation clubs across Victoria that have suffered loss of equipment through flood, fire, theft or vandalism. Some examples of those are: \$2000 to the Aspendale Life Saving Club to replace a lifesaving boat destroyed by vandalism; \$1145 to the Mystic Park Cricket Club in Lake Boga to replace cricket equipment destroyed by heavy rain; \$2000 to the Bulla Adult Riding Club to provide new jumping fences which were destroyed by fire; and \$2000 to the Werribee Archery Club following the theft of archery equipment.

These are examples of the Bracks government providing often much-needed assistance to replace essential equipment which enables clubs to continue with the outstanding work that they do. Given that many of the tireless volunteers put in many hours just to deliver the services of those clubs, to be able to assist them so that they are not handicapped in any way to deliver their services through lost equipment means that the government is complementing the outstanding work of the individuals in those clubs and making those community clubs and those volunteers far more appreciated. It also recognises the valuable contribution the clubs make not only to the sporting community in Victoria but also to the greater and broader community. There are benefits across all of Victoria.

Public sector: wages

Hon. PHILIP DAVIS (Gippsland) — I direct a question without notice to the Minister for Finance. I refer to the Auditor-General's warning in the *Report of the Auditor-General on the Finances of the State of Victoria, 2002–03* that further wage growth beyond that anticipated will place pressures on the state's finances, and refer to the minister's comments two weeks ago when he said:

... our wages policy is 2.5 per cent for inflation, 0.75 per cent for service delivery improvements and that's it.

Given that public sector wages are already \$200 million above budget estimates, as was revealed in the budget update released by the minister today, does the minister still maintain that expenditure on public sector wages is on track with budget estimates?

Mr LENDERS (Minister for Finance) — I would suggest to the house, particularly Mr Philip Davis and others in the Liberal Party, that, firstly, they read the whole report and footnotes. They have had it since 9.30 a.m., so it would not be too difficult to do so before asking the question.

Hon. Philip Davis — Just give us the answer!

Mr LENDERS — I am happy to answer Mr Philip Davis's question on this issue, because this is a sound and strong budget update from the government, so we are happy to answer his question.

Firstly, I will make one correction, whether it be to what I advised him or what he is reporting me as advising. The wages policy is 2.25 per cent. If I said 2.5 per cent, I stand corrected. It is 2.25 per cent plus 0.75 per cent, so we should get that on the record first. Secondly, he mentioned a figure of \$200 million, or \$199 million, whereas in this report we are talking about wages having gone up since the budget was put in place in May. If he chooses to read to the end of the report, what he will find is that there is an explanation of what most of this \$199 million figure is.

I advise the house that many of our TAFE institutes and many of our hospitals have provided extra services since the budget. When they provide an extra service, such as when a TAFE institute offers more courses, they hire more staff. And how do they pay them? Out of the fees they charge for the courses or the services they offer. That money and those fees actually appear in this statement as fees for goods and services. This budget document shows that for the government's wages policy — and the government is as aware as the Auditor-General of the importance of balancing our

books — for this year and the out years, we are talking of an increase in expenditure roughly commensurate with the growth in the economy. We are talking of an increase in income roughly commensurate with the growth in the economy. We are talking of surpluses out into the future roughly in the order of about \$500 million per annum, about 2 per cent of the budget.

This document from the Bracks Labor government is open and transparent and makes the government accountable. It is a review of how the budget has travelled since May. It is a review of the Treasury's estimates — this government's estimates — as to how the economy was travelling, taxes are going, charges are going and expenses are going. Are they on track? This is part of open and transparent government. This is exactly what government members called for when they were in opposition. This is exactly why we empowered the Auditor-General. It was so that this Parliament and this community could make judgments. In all these things it is here before us and for people to comment on, and the government is held accountable for it.

Each year when a budget is framed a government makes estimates. We need to make assumptions about when a drought is going to break, how the world economy is travelling and about a range of areas. We do that, but because they are assumptions we also do periodic updates. That is so that this house and this community can look at it and say, 'It is up to date'. This report is about openness and transparency, and it outlines those things. Mr Philip Davis's specific question is addressed by my comment. Most of the figure he refers to is dealt with by the TAFE institutes, by the hospitals and by the services they add, so the wages appear in here, as does income.

Supplementary question

Hon. PHILIP DAVIS (Gippsland) — I thank the minister for his answer, but I will try again. It appears that the minister has corrected or contradicted what I have asserted about his previous comments, so he may embellish now. Can the minister assure the house that the government's wages policy that he has cited is consistent with the increase in the government's total wages bill not being more than the 3 per cent, I think he is asserting, as he has just revised?

Mr LENDERS (Minister for Finance) — The government's wages policy, as Minister Kosky, Minister Pike, the Attorney-General, the Premier and the Treasurer have made absolutely clear, is 2.25 per cent. The only reason I clarified that was if there was ambiguity as to whether it was 2.25 per cent or 2.5 per

cent. It is 2.25 per cent plus 0.75 per cent for enhanced service delivery.

Above and beyond that is productivity offsets. That is the government's wages policy. There is nothing secret about that; it has been factored into our budget estimates and into every bit of negotiation that has gone into every single enterprise bargaining agreement. There is nothing secret about it; it is open and transparent, and the government is being up front about it, showing how it appears. These figures report movements, so it is clear and transparent, and what is in the document is absolutely clear.

Questions interrupted.

DISTINGUISHED VISITOR

The PRESIDENT — Order! Before I call the next question I wish to acknowledge to the chamber His Excellency Joe Thwaites, who is the Australian Ambassador to Vietnam. I welcome him to the chamber today.

Questions resumed.

Local government: government achievements

Hon. H. E. BUCKINGHAM (Koonung) — I refer my question to the Minister for Local Government. Can the minister inform the house how the Bracks government is delivering for local government in its second term, and how this in turn is assisting in strengthening Victorian communities?

Ms BROAD (Minister for Local Government) — I thank the member for her question and for her continuing interest as a former councillor in the Bracks government's second-term agenda of working in partnership with local government to strengthen Victorian communities.

The Bracks government, unlike those opposite, believes that local government is an equal partner. That is why we are committed to a range of initiatives that put local government in a better position to help Victorian communities to become stronger. It is timely, following the first anniversary of our second term in government, that in our last week of sitting we look at this government's considerable achievements in the local government portfolio. In the previous parliamentary sitting this year the government delivered on its election commitment to amend the Victorian constitution to enshrine the place of local government as a legitimate elected and representative tier of government in its own right.

The government further delivered on this agenda by passing through Parliament just last week the Local Government (Democratic Reform) Bill. That legislation further delivers on the government's commitments, including the alignment of council elections to a common term as well as reforming longstanding issues at the local government level such as councillor conduct, special rates and charges and ensuring more democratic representation through proportional representation, a reform opposed by the opposition. We believe that these significant reforms all strengthen the position of local government in this state and form a significant part of what we have delivered in the first year of our second term.

Our support for local government is also resulting in practical outcomes for Victorian communities through public libraries — for example, the Bracks government's continuing support of public libraries with funding at an all-time high of \$25.8 million. In addition, through the Living Libraries \$12 million program, \$4.6 million was allocated in 2002–03 to an additional 18 projects right across Victoria. During the course of this year we have seen seven projects under the same program completed and opened in various parts of Victoria, including Ararat, Kerang, Mirboo North, Lakes Entrance, Fawkner, Wodonga and Niddrie. I had the pleasure last Friday of opening the Niddrie library with the Attorney-General — and it is in the electorate of the President. It is very important to mention that!

The Bracks government has this year continued support to the sector with the implementation of the Best Value Victoria policy, which replaces the much-hated compulsory competitive tendering policy under the previous government. We have worked collaboratively this year with the Municipal Association of Victoria to enhance local government's capacity to effectively strengthen and maintain its infrastructure assets. As Minister for Local Government it has been great to travel around the state and meet with local government representatives from all parts of Victoria.

These achievements stand in stark contrast to those of members opposite, who have no ideas, no policies and no plans whatsoever. They are not interested in working with local government but prefer to go back to the good old days of telling local government what to do.

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

Consumer and tenancy services: delivery

Hon. W. R. BAXTER (North Eastern) — I direct a question to the Leader of the Government in his capacity as Minister for Consumer Affairs, seeing his blood pressure is rising a bit as Minister for Finance. I refer the minister to his proposal to abolish face-to-face contact with consumers in regional areas and to replace this vital service with a 1800 number. I advise the minister that because Wodonga is in the 02 telephone zone, 1800 numbers are answered in Sydney. I therefore seek an assurance from the minister that he will station staff in Sydney to answer the telephone for my constituents.

Mr LENDERS (Minister for Consumer Affairs) — I thank Mr Baxter for his question, and also for the interesting touch to it. I can assure Mr Baxter and the house that Consumer Affairs Victoria will not be stationing staff in Sydney.

On the more serious part of his question, as I have informed the house before, Mr Scheffer and I have been working assiduously on what is the best way to deliver consumer and tenancy services in Victoria. There is no question that when you go out into communities the message is coming through that people want access to consumer and tenancy services but they want it everywhere in the state, and they want access to specialised services as well as local services.

I have made it unequivocal in the letter I have sent to the 22 consumer agencies that there will be a regional presence. The form of that regional presence is one that we are negotiating. Certainly as a government we need to make decisions on these areas, but we want to be negotiating with and having feedback from the people on the ground. We started this process in a formal sense eight months before the tenders expired and in an informal sense when I went out personally to 17 of the 22 agencies and met with 4 others well before that time — during the winter recess of this Parliament.

In essence, the challenge for government in this area is how to deliver consumer and tenancy services. How we deliver them also goes to the model we have, which is partly a historical inheritance of grants to agencies of regional offices in metropolitan Melbourne that were closed down during the previous government.

Is the best form of service delivery the one we have? Can we do better? No-one disputes that we need to broaden the service, but are the existing resources the way to do it? For many consumers 1800 numbers work well, but for consumers who need face-to-face contact they do not work well. There is no question about that.

With regard to some of the specialised services, Mr Olexander has raised with me the issue, as have other members of Parliament, of funding the Credit Helpline, which is a metropolitan-based phone service. We are seeking to not assume that we have all the wisdom in dealing with consumer and tenancy issues, but we engage communities and people at the coalface and say to them within the existing parameters, 'Is there a better model that works beyond the town or suburb you work in? Can we spread our services in a broader fashion? Can we do it better, and is this the best vehicle to do it in?'.

As part of that review we have managed to set up an indigenous consumers unit which goes around regional Victoria and parts of the metropolitan area dealing with Aboriginal communities, one of the most disadvantaged communities, as my colleague the Minister for Aboriginal Affairs reminds this house on numerous occasions. They are communities that normally do not complain, but clearly the area of disadvantage is abuse of store credit cards, abuse of telephone contracts and a range of other areas that exploit the local communities, and they are the communities we wish to assist.

We also have Arabic and Vietnamese-speaking tenancy workers going out. The model we have traditionally had of being grouped in one area and assuming that can do all is one we want to challenge. But we accept and endorse that there needs to be a regional presence and dialogue. Mr Scheffer has put in many hours of his time with people as well as putting hours of thought into it. We want to make it a better way. If in the end there is not a better way then we are pragmatic, but we are trying to engage people by asking if there is a better way. People are running campaigns, which I understand, because that is the nature of politics and community politics, but we want to have the dialogue and discussion to deliver better services to consumers and tenants.

Supplementary question

Hon. W. R. BAXTER (North Eastern) — I seek clarification. Bearing in mind that the minister said he is not putting staff in Sydney to answer questions from my constituents, will he give me an assurance that Mr Scheffer will visit Wodonga with a view to keeping open the office at 110 Hume Street, as it seems to be the only alternative to provide those services to those regional people?

Mr LENDERS (Minister for Consumer Affairs) — I certainly will not presume to speak for Mr Scheffer and his travel arrangements; that is something Mr Baxter should take up privately with Mr Scheffer. I

will say to Mr Baxter that, firstly, I have visited the agency in Wodonga during the winter recess — actually the day the drought broke and there was 4 inches of rain. It was a delightful day to be in north-eastern Victoria. People were very happy the day the drought broke. I have had dialogue, as have people from the agency on one occasion, and possibly more than once, with Mr Scheffer in Melbourne. If it is access to telephone services, then I can assure the house and Mr Baxter that we will find a way to deal with that.

Fundamentally, we are considering the best model that we can use to assist people in Wodonga and the north-east on specific face-to-face meetings as well as some of the specialist services covering 48 acts in the portfolio that we need to cover as well.

Consumer affairs: credit cards

Hon. J. G. HILTON (Western Port) — I refer my question to the Minister for Consumer Affairs. Can the minister advise the house what action he is taking to alert shoppers about how to use credit wisely so that they do not overcommit themselves this Christmas?

Mr LENDERS (Minister for Consumer Affairs) — I thank Mr Hilton for his question and his ongoing interest in the rights of consumers in the lead-up to Christmas and the credit pressures we are under.

Hon. Bill Forwood — Every Christmas we get this question!

Mr LENDERS — Credit debt, as I have advised the house before and as Mr Forwood said — previous ministers probably have also — is an issue that is of concern in our community. The Reserve Bank advises that in August 1994 outstanding debt on credit cards in Australia was around \$5 billion whereas the Reserve Bank advises that in September 2003 the debt has increased to \$25 billion — the size of the Victorian budget.

Mr Smith — Is that million or billion?

Mr LENDERS — Billion, Mr Smith — \$25 billion. It appears that in addition to the level of debt, credit card usage had shifted from being a luxury item for convenience to being a standard payment device. According to the Reserve Bank again, we have gone from 10.8 million users in August 1994 where those users had \$790 on average on their credit card to today where the individual user has almost \$2300 on average on their credit card, an increase of almost 300 per cent.

As the house is aware, consumer credit debt has been of concern to the Bracks government for some time. We

took the initiative of hosting a two-day conference — Credit, Debt and the Consumer — earlier this year. We continue to raise the issue of credit overcommitment at a national level through our membership of the Uniform Consumer Credit Code Management Committee, UCCCMC as it is known to consumer communities, chaired by Victoria, and its ongoing discussions with consumer groups, major banks, credit providers and peak bodies about possible self-regulatory measures.

Consumer Affairs Victoria conducts various awareness campaigns on the wise use of credit cards. These are important. According to the Australian Consumers Association research indicates that 57 per cent of all credit card holders between the ages of 18 to 24 years have credit card debt. The 18 to 24-year-olds are among our more vulnerable consumers in the community — some 57 per cent of our youth have credit card debt. This age group is particularly vulnerable because they often lack the necessary debt management skills. We are running another campaign this year to make consumers, particularly young consumers, more aware of the problem of credit overcommitment. We will be using Rudolph the In-the-Red Reindeer.

Hon. M. R. Thomson — Again!

Mr LENDERS — Minister Thomson says again — yes, Rudolph the In-the-Red Reindeer, is a great initiative by my predecessors to engage youth. Members of the house who have the time this Christmas season can join with me on the steps of the main railway station in Melbourne to hand out brochures to young people about the Rudolph the In-the-Red Reindeer campaign to advise them of how to deal with this. The message is: don't be rash, use cash. That is the message for young people: don't be rash, use cash.

Consumers will be targeted during the peak Christmas shopping period with the message to set a budget for their Christmas shopping and stick to it, to use cash or lay-by and to be more aware of the role of Consumer Affairs Victoria as a leading advocate for responsible credit practices. We are not expecting consumers to be Scrooges this Christmas, but we are asking them to be mindful that while making merry and taking pleasure in the joy of giving they do not blow their budgets so that the battle to pay off huge credit debts does not go into 2004. The message from Rudolf the In-the-Red Reindeer is: don't be rash, use cash.

Budget: litigation liability provision

Hon. BILL FORWOOD (Templestowe) — I direct my question to the Minister for Finance and the Acting Treasurer. I refer to the Auditor-General's recent warning about the risks to Victoria from the present legal action over the smelter reduction levy, when he said that an adverse outcome may lead to further claims by other parties and have significant financial ramifications for the state. Given this explicit warning, why does the government assert in the budget update released today that 'it is not practicable to quantify the liability' if the legal action is successful?

Mr LENDERS (Minister for Finance) — As Acting Treasurer I will take Mr Forwood's specific question on notice, but in general terms I will respond to him by saying that as part of the budget update we identify risks. Some of those risks are easy to quantify; some are more problematic to quantify.

I certainly know in my capacity as Minister for Finance that when the Victorian government underwrote the Dexta scheme in builders warranties, and with some of our underwriting of the adventure tourism schemes in northern Victoria, we made notes in the budget papers identifying that there was a risk. It is prudent to do this. If the government is exposed in one way or another, we need to give adequate notice.

In the end sometimes those notes are simply to alert the Parliament and the community that the government is aware that there is a risk, but there are risks that cannot be quantified. When risks are quantified we put them into the budget documents; when they are not quantified, there is often a note made advising of that.

I will take Mr Forwood's specific question on notice as Acting Treasurer, but that is my general response on how those notes are put into budget papers.

Supplementary question

Hon. BILL FORWOOD (Templestowe) — I thank the minister for his answer. Perhaps the minister should consider using the system used by the Australian Securities and Investments Commission in relation to contingent liabilities of this type, where a range of likely outcomes is put. In circumstances such as the one before us, the people of Victoria are entitled to have some idea of the expense of this claim.

Hon. M. R. Thomson — That is a statement not a question.

The PRESIDENT — Order! I ask Mr Forwood: what is the question?

Hon. BILL FORWOOD — I am asking the minister whether he will consider using the system used by the Australian Securities and Investments Commission in the budget updates in dealing with circumstances such as this.

Mr LENDERS (Minister for Finance) — I thank Mr Forwood for his advice as a former chair of the Public Accounts and Estimates Committee and someone with a general interest in this area, but I addressed the specific issue in my original answer.

Energy: mandatory renewable target

Hon. C. D. HIRSH (Silvan) — I refer my question to the Minister for Energy Industries. I could also suggest Hermes, the Greek god of wind, but I will not! Can the minister inform the house about the latest news on the mandatory renewable energy target and the Bracks government's response.

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — Have I got some wind for you! I thought I would bring in a little model of renewable energy — wind energy — just to show the opposition how much grace and beauty it has. Even if you listen very carefully, you cannot hear it spinning, either.

Hon. B. N. Atkinson interjected.

Hon. T. C. THEOPHANOUS — I am not guaranteeing that you can make it turn by your ineffectual puffs, Mr Atkinson!

On a more serious note, the question that has been asked of me relates to the mandatory renewable energy target (MRET). It is a serious question, and it is a serious issue. The federal government instituted an inquiry almost a year ago, and the report is absolutely critical to the industry. Victoria put in a submission arguing for the doubling of the MRET to 19 000 gigawatt hours in order to give the industry a boost by 2010.

But this report, which has been completed and was handed to the federal government some time ago — a matter of months — is languishing in federal cabinet because the Howard government is unwilling to provide any indication to the industry of which way it will move.

A letter in today's *Business Review Weekly* states that up to \$5 billion of investment in the renewables sector could be affected by the Howard government's indecision on MRET. We are talking about \$5 billion — —

Hon. P. R. Hall — On a point of order, President, the minister has quoted a letter that appeared in a newspaper today. I would like to know the name of the newspaper, the date and who the author is.

Hon. T. C. THEOPHANOUS — On the point of order, President, I mentioned it was in the *Business Review Weekly* today, and if the member wants to go and read it, he can. What it says — —

Hon. P. R. Hall — On the point of order, President, I simply want to know, as is the custom of this house, who the author of that letter is. It is quite inappropriate for the minister to quote somebody and not say who the author of the quote is.

Hon. T. C. THEOPHANOUS — On the point of order, President, I invite the honourable member to read the *Business Review Weekly*. There is no requirement under standing orders — —

Hon. Bill Forwood — What are you hiding? Tell us.

Hon. T. C. THEOPHANOUS — I am not hiding anything; I am inviting the member to read the *Business Review Weekly*. I am simply saying that there is a letter in the *Business Review Weekly*. I am not required under standing orders to indicate any more than that to the house, but I am prepared to attest, as I am required to do, to the veracity of the statement that I have made.

The PRESIDENT — Order! The minister has quoted the name and date of the publication. That meets the practices of the house in relation to the source of the information he is referring to.

Hon. T. C. THEOPHANOUS — I know that the National Party does not support wind energy in this state. The National Party keeps coming into this house with misinformation about the impacts of wind energy in the state. It continually comes in here and tries to mislead the people of Victoria as to the impact of wind on the landscape and in this state because it does not support this important industry which is creating jobs in regional Victoria.

Hon. P. R. Hall — How many jobs?

Hon. T. C. THEOPHANOUS — 'How many jobs?', the Leader of the National Party asks by interjection. That is how much the National Party cares; that is how much Mr Hall ought to be ashamed of himself. That is how much he cares about jobs in regional Victoria — he writes them off as though they do not matter and as though it is unimportant with his interjection, as if those people, those jobs and those

families do not matter to him and do not matter to the National Party.

I would not be surprised if it is the National Party which is putting pressure on the federal government not to release the mandatory renewable energy target report. But I can say one thing: the government is waiting with bated breath for this opposition to get up and state that it supports the mandatory renewal energy target — —

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

Southern Health: funding

Hon. D. McL. DAVIS (East Yarra) — My question without notice is to the Minister for Finance, who is also the Acting Treasurer. I refer the minister to the Auditor-General's *Report on Public Sector Agencies*, in particular table 3.3E, note (f), at page 84, which shows that the Southern Health Network had an operating deficit of \$26.035 million in 2002–03 prior to extraordinary items. A note to this entry says:

Operating result excludes \$13.5 million forgiveness of finance lease from South Eastern Medical Centre Ltd.

Was the minister or his department consulted on the decision to forgive the Southern Health Network its \$13.5 million debt?

Mr LENDERS (Minister for Finance) — I thank Mr David Davis for his question. Over a period of time Mr Davis has asked me a series of questions which it would be more appropriate to address to the Minister for Health, who is in the Legislative Assembly. I have suggested to Mr Davis previously that if he wishes to aspire to the oratorical and intellectual skills of Ms Shardey in the other place and wishes to be in her place, perhaps that is the place to ask his questions. As far as asking a specific question in that forum, it is for the Minister for Health.

On the issue of whether the Department of Treasury and Finance was consulted, as I have said previously, the audit sign off in these areas, or the response to the Auditor-General's reports, comes a year after the event when a report, such as the one I tabled this morning, deals with the Auditor-General's recommendations. So if the Auditor-General has an issue with this, that is how the government responds to it. If there is an issue as to whether the department was consulted — I am certainly not aware whether it was or was not consulted — I can take that — —

Hon. D. McL. Davis — You can't even admit that you do not know.

Mr LENDERS — Mr Davis says that I do not know. I suggest to Mr Davis that with something the size of the Victorian budget, involving \$26 billion, covering 10 departments and hundreds of agencies, the government sets up a series of procedures for this Parliament to respond to them. Those procedures include financial directions; those procedures include annual reports of departments; those procedures include setting up and empowering an Auditor-General — something that those opposite were not interested in and tried to gut. They had a member of the executive chairing the Public Accounts and Estimates Committee. This government took a range of issues to deal with that.

Mr Davis glibly asked whether I as Acting Treasurer and Minister for Finance was aware of a specific transaction. In answering I said to the house and to Mr Davis that this government has procedures in place for transparency that few on this planet have. This means annual reports and a vigorous and rigorous Public Accounts and Estimates Committee procedure. Under a previous government, a member of the executive chaired the committee and the Premier would not even turn up! The previous government had such contempt for the Public Accounts and Estimates Committee the Premier would not even deign to appear before it.

The material issue here is: am I aware of a specific issue? My response to that is that I am responsible for a series of measures that add accountability and testing. If my department was consulted — and I would not be surprised if it was; I do not have that answer in front of me in this chamber now — I will happily take that question on notice.

But the material question here for Mr David Davis and others opposite — they will in question time ask questions, which you expect oppositions to do — is that if they seriously expect that every single item of a \$26 billion budget will be recalled by a minister, then I think they are ignoring the other checks and balances we have for what is the most open, transparent and accountable government in this state.

Supplementary question

Hon. D. McL. DAVIS (East Yarra) — What is clear is that the minister does not know whether his department was consulted on the decision to forgive \$13.5 million for the Southern Health Network. This is a clearly a fudge to enable the Southern Health

Network to present a rosy report. I ask the minister to specifically inform the house what guidelines are in place where statutory authorities or government entities forgive debt and whether these were observed in the case of Southern Health's \$13.5 million sweetheart deal to make its bottom line look rosy, or more rosy.

Mr LENDERS (Minister for Finance) — First and foremost, Mr David Davis really ought to do a course in accrual accounting. Perhaps Mr Hilton, who was actually a member of the Institute of Chartered Accountants, could do some private tuition for Mr David Davis. Perhaps Mr Hilton should, as a community obligation, do that, because again it goes back to my response to Mr Philip Davis's first question. The opposition cannot have it both ways. If it is saying that the government is trying to cosily write off some debt to make Southern Health look good, of course with accrual accounting and with basic debits and credits it will appear somewhere else in the government's books. So in one breath the opposition says to us that we are hiding a deficit — the world is horrid as we know it and is coming down — and in another breath it is saying we are hiding a surplus. The opposition cannot have it both ways; you cannot hide both a deficit and a surplus.

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

Tennis: Davis Cup

Hon. R. G. MITCHELL (Central Highlands) — I refer my question to the Minister for Sport and Recreation, who is also the Minister for Commonwealth Games. As all members would be aware, the Davis Cup was held at the Rod Laver Arena last week, and I ask the minister to advise the house of the success of this event and the benefits to Melbourne and Victoria.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I welcome the member's general interest in sport in this state and particularly his interest in one of his great loves, which I appreciate is tennis.

Members of the chamber would appreciate that last weekend we held the Davis Cup in Melbourne — and it was an outstanding success. It was a sell-out, and certainly there was a display of quality tennis. This event complements the Australian Open, which is held in January when we have hundreds of thousands of people turn out for the tennis. We have seen at these respective events tremendous numbers of interstate and international visitors, and this brings economic and social benefits to our state. These events complement the sporting calendar in this state, which is second to

none and which provides a tremendous focus on this state.

The Davis Cup final between Australia and Spain was a success. It was closely contested, was a wonderful tennis match, and of course it was a tremendous win for Australia.

Unfortunately it did not score points in terms of diplomacy. As most members would be aware, an error was made by the organisers of the event during the opening ceremony concerning the Spanish national anthem. Some might suspect that was done to give the Australians an added advantage, but I am sure that was not the case. Whilst the Bracks government was not responsible for the incident, I understand that there was a great degree of sensitivity over the matter. I therefore take this opportunity to publicly apologise to the Spanish community on behalf of all Victorians.

Funnily enough I did receive a letter from the Spanish ambassador requesting an apology, and I would take this opportunity to acknowledge that letter and recognise the sensitivities around that event. The Spanish ambassador also provided me with a copy of the music for the national anthem as an attachment to his letter. I request leave for it to be incorporated into *Hansard*, as it would provide a public record of the national anthem of Spain to ensure that if at any time in the future somebody wished to access it, it would be available online.

Appreciating the sensitivities of this matter, I again publicly apologise to anybody who may have been offended by the wrong anthem being played; and as the theme song from the Barcelona Olympics reminded people, we would wish to be friends forever.

The PRESIDENT — Order! For the record, leave is denied to incorporate it into *Hansard*.

The time for questions without notice has expired.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Finance) — I have answers to a further 19 questions on notice: 173, 789, 919, 1067, 1073, 1087, 1089, 1092, 1098, 1106, 1108, 1128, 1130, 1133, 1139, 1147, 1201, 1202 and 1239.

GAMBLING REGULATION BILL

*Second reading***Debate resumed.**

Hon. W. A. LOVELL (North Eastern) — In rising to speak on the Gambling Legislation Bill, I declare at the outset that my family's business has an interest in two Tattersalls lottery agencies, and that I have for a long time had a close business association with the management and trustees of Tattersalls.

From two-up to a ticket in Tatts or a flutter on the Melbourne Cup, many Australians, including me, enjoy having a bet. It is often said that Australians will bet on two flies climbing up a wall and that we are the only country that stops for a horse race. Australian Bureau of Statistics figures actually confirm that — 80 per cent of all adult Australians indulge in gambling activities; yet as much as Australians embrace the gaming, lottery and racing industry, it is also an industry that is much maligned.

Lotteries were first introduced into this state by the Cain Labor government in 1954. Prior to that Tattersalls operated in Tasmania. The Tasmanian government was planning to increase the taxation charge to Tattersalls and at the same time the Cain Labor government was planning to introduce a lottery in Victoria. A book called *The Luck of the Draw* by Trevor Wilson sets out the history of Tattersalls and tells that story. It says:

The Cain government in Victoria was seriously considering the setting up of a state lottery in Victoria. In fact the government planned to introduce a state lottery bill in the next session.

It goes on:

Discussions were held immediately with the Cain government in Victoria. For obvious reasons they took place in circumstances of utmost confidentiality.

The book continues:

Mr Cain made no effort to let the Tasmanian Labor government know what was happening. Finally, after detailed and protracted negotiations, agreement in principle was reached with the Victorian government and late in 1953 Mr Cain announced that Tattersalls would transfer its operation to Melbourne by the middle of 1954 ...

...

Tasmanian Premier —

Sir Robert —

Cosgrove, claimed in a speech on 18 March 1954 that he had been 'stabbed in the back' by Mr Cain, the Victorian Premier ...

I guess that stabbing each other in the back is a longstanding tradition in the Labor Party: we often hear about it from the Labor premiers at the moment. I am sure Simon Crean is still trying to extract the knives from his back this week, and we wondered if that was the problem with Mr Lenders's back — perhaps somebody has twisted the knife! It is a Labor Party tradition, so we will leave that to its members to sort out.

Electronic gaming machines were introduced into this state by the Kirner Labor government in 1991, and the Labor Party has been trying to rewrite history ever since. Joan Kirner's vision for Victoria was for a pokies state, with 45 000 electronic gaming machines scattered across Victoria. When the Kennett government came to power it acted responsibly and put a cap of 27 500 on the number of electronic gaming machines in Victoria. When in opposition from 1992 to 1997 the Labor Party became so critical of the industry that it created a public perception that gaming revenue is somehow tainted or dirty or that it represents ill-gotten gains. The perception the Labor Party created was totally unfair, because gaming is a legitimate industry; it has been legally approved by this Parliament and has operated in this state for many years.

Unlike the situation in many other countries, strict government regulations have delivered an industry that is free of crime and corruption. In any debate it is important to hear both the positives and negatives of the history. The gaming, lottery and racing industry brings many positives to Victoria, and I would like firstly to concentrate on some of the positive results the industry brings to our state.

It is an industry that employs tens of thousands of Victorians and delivers employment in every suburb, city and country town right across the state. Revenue from electronic gaming machines has provided the opportunity for pubs and clubs to expand their facilities to provide first-class reception and entertainment centres — and in some cases sporting facilities — in nearly every Victorian town.

Tattersalls has operated lotteries in Australia for over 120 years and has been based in Victoria since 1954. It has long been renowned as one of Australia's most respected and generous community supporters. In recent times Tattersalls has donated almost \$60 million to Victoria's hospitals, charities, deserving individuals, sports, the arts and the community in general. In the past year alone Tattersalls donated in excess of

\$8 million to Victorian hospitals and charities. This money is over and above the more than \$1 billion contributed to the government in duties and taxes.

Some of the hospitals and charities to benefit from Tattersalls generosity have been the Epworth Hospital, in conjunction with the Peter MacCallum cancer centre, which received \$5 million towards the development of Australia's most up-to-date radiotherapy clinic. The Royal Children's Hospital has received over \$7 million in the past decade. The Alfred hospital received a donation of \$4 million for its critical care complex. The Freemasons Hospital received \$4.5 million for its emergency and critical care facility. The Northern Hospital received \$1.5 million. The hospital list goes on and on.

Tattersalls generosity extends to community projects. It has committed over \$1 million to the parade of champions at the Melbourne Cricket Ground, which will see statues of 10 Australian sporting heroes —

Hon. J. G. Hilton — On a point of order, President, the member has been talking for 6 minutes and is really giving Tattersalls a free advertisement in this house. I would ask you to ask her to speak to the bill.

Hon. W. A. LOVELL — On the point of order, President, I was talking about the positive things that the gaming industry delivers to Victoria.

The PRESIDENT — Order! This has been a wide-ranging debate about gaming contributed to by members on all sides of the house. It is an extensive bill because it brings together a number of current pieces of legislation, so I do not uphold the point of order.

Hon. W. A. LOVELL — As I was saying, Tattersalls has committed over \$1 million to the Parade of Champions at the Melbourne Cricket Ground, which will see statues of 10 Australian sporting heroes surround the MCG in time for the Commonwealth Games. Three statues have already been completed. They are statues of Don Bradman, Betty Cuthbert and Ron Barassi.

The War Memorial at Ballarat that records the names of over 35 000 prisoners of war has benefited through Tattersalls. The Tattersalls Cup series that supports cycling in regional Victoria receives around \$35 000 in sponsorship. The Tattersalls enterprise and achievement award is a monthly award that recognises the unsung heroes in our community. Last month Pastor Max Walker, who runs a soup kitchen that is largely funded from his own pocket and who was nominated by the member for Narre Warren North in the other place,

received \$5000 for himself and \$15 000 that will keep his soup kitchen operating for the next 18 months. Yesterday Typo Station at Wangaratta in my own electorate was presented with this month's award.

The Tattersalls philanthropic tradition is carried out at a more local level through its gaming venues and lottery agents. Gaming venues and lottery agents are local businesses, people who care about the communities they live and do business in. They are keen supporters of local sporting groups and charities.

Almost every local football, netball, cricket or tennis club would benefit from some sort of sponsorship from their local club, pub or lottery agent. Look on the donor boards at any local hospital, aged care facility or school and again you will see the name of the local gaming venue or lottery agency. The annual Very Special Kids Piggy Bank Appeal is a charity fundraiser that is embraced by the Tattersalls network, raising funds to provide palliative care for children with life-threatening illnesses. Each venue and agent runs its own fundraising event to support the appeal. This year's piggybank appeal raised almost \$950 000. That included a personal donation from Bruce Mathieson's family of \$150 000, and even the staff at Tattersalls headquarters became involved, raising \$12 900. This support for our hospitals, charities and local communities is the positive side of the gaming and lottery industry, the side you rarely hear anything about.

This bill is one of the largest bills ever introduced into the Parliament, and yet the Bracks government gave the opposition only two weeks to consult with the stakeholders to reach a position. This is a voluminous bill that will consolidate eight gaming acts into one, but it will not include the Casino Control Act or the Casino (Management Agreement) Act. The exclusion of the casino acts will allow the minister or the commission to deal separately with the casino without reference to Tattersalls, Tabcorp or other industry groups.

The Victorian Casino and Gaming Authority will be replaced by the Victorian Commission for Gambling Regulation, an independent statutory body having all the powers of the VCGA plus the functions and powers of the director of gaming and betting and the director of casino surveillance. There will be one full-time and two part-time commissioners. This will become one of the most powerful positions in Victoria with the executive commissioner having total control over all gambling and racing. No doubt we will have quite a few Labor mates queuing up for that job.

The banning of advertising and signage is causing the most concern in the industry. The government went to

this election with a policy of banning advertising, but there was no mention of signage. Venues are particularly concerned about this and fear that the banning of signage will break some venues, especially those in rural Victoria that have not yet recovered from the banning of smoking in venues. The banning of signage is just another knee-jerk reaction by the Bracks government, trying to appear as if it is doing something to address problem gambling. There is no sound evidence for believing that banning signage will address problem gambling, and until some connection can be made I do not believe venue operators should be forced to remove their signs.

Australian Bureau of Statistics figures show that while 80 per cent of the Australian adult population indulge in gambling, with 2.3 per per cent being considered problem gamblers, approximately 1 per cent actually experiences severe problems. Currently all Victorians are exposed to signs outside venues, and 97.7 per cent of the adult population do not have a gambling problem. Problem gambling is an area that does need to be addressed, but it needs to be addressed in a proper manner. Simply banning signage is not the answer. Banning signage will only deter casual players or the visitors to a town who do not know where the gaming venues are. The problem gamblers will still find the venues, because they already know where the venues are. I suggest that the government needs to do some more research to establish the real cause of problem gambling before implementing this ban.

The compulsory training of floor and supervisory staff to identify problem gamblers is supported by the gaming industry. The gaming industry has always strongly supported staff training, and most current employees have already undertaken a William Angliss course that was set up in conjunction with the industry. I hope that when the compulsory training is introduced credits will be given to employees who have already undertaken some training. However, no matter how good the intentions of the staff to identify problem gamblers may be, there is consensus among most eminent gambling professionals that staff should not diagnose problem gamblers. I have to agree. The one thing I learnt in 27 years in the retail and lottery business was never to judge a book by its cover. A venue operator or staff member has no knowledge of a customer's financial circumstances and therefore no basis on which to judge who can and who cannot afford to play or to know at what level gaming becomes a problem for a person.

I am concerned at the thought of gaming room staff approaching players regarding this highly sensitive matter. If a staff member approaches someone in a

public place it can be very embarrassing for the person who is playing the machines and equally embarrassing for the staff member. There is also privacy legislation to consider. Do venues really have the right to pass on details of individuals' gambling activities and their names to someone in order to have them labelled as problem gamblers? As I said, problem gambling is a highly sensitive matter. It should be handled by trained social workers who have undergone their four years of professional training to gain their qualifications, not gaming room staff who would have gone for only a few hours or a few days of training.

This bill extends the powers of local government in determining gaming venue establishment or upgrades. The venue will now require a planning permit from local government before going to the commission with a new premises application. Local councils will also be able to appeal the commission's decision to the Victorian Civil and Administrative Tribunal even in the case of applications to increase electronic gaming machine numbers in a venue. The bill also extends the time a council can have to make a submission to the commission from 28 days to 60 days, with the commission able to extend that time if the council requires it. The industry believes these local government changes will extend the time of approval from two years to three years.

The bill extends to the gaming research panel the right to confidential information from clubs, pubs, the casino and the operators to assist in its research. The time for the transfer of unclaimed dividends from oncourse and offcourse betting to government has been reduced from 12 months to 6 months. Currently approximately 11 000 claims are made between 6 and 12 months, and it is expected that the government will make a windfall gain of around \$6 million, of which \$3.8 million will go to the racing museum at Federation Square. The government must be absolutely desperate for cash to want to get its hands on such a small amount.

Other provisions in the bill deal with the distribution of money from the Community Support Fund, the confiscation of stolen money or money won by minors or banned players and of course the two Tabarets in country Victoria. Ms Mikakos told us that the two Tabarets will now be treated as clubs. Ms Mikakos is wrong. They will now be treated as hotels, but the machines will still be counted as club machines, which creates a significant anomaly.

The other thing that will be dealt with by this bill is the issue of junket operators. As I said at the beginning of my speech, the lottery — —

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

Ms ROMANES (Melbourne) — I am pleased to have the opportunity to speak on the Gambling Regulation Bill, which is the largest bill or potential act to come before this house. As has been mentioned, 95 per cent of the bill represents a consolidation of previous legislation, with the rest representing further responsible gaming initiatives on the part of the Bracks Labor government.

When the Bracks government came to office in 1999, gambling was galloping out of control in this state. Because of the legacy that was left to the government as a result of the unfettered approach to gambling taken by the previous Kennett government, Labor was obliged to put in place a strong commitment to a responsible gaming policy and to helping problem gamblers in this state.

The second-reading speech lists the changes and reforms this government has put in place over the past four years. It tells a clear story about the journey taken by this government, with the support of the Victorian community, to try to address the issue of problem gambling and the need for gambling regulation in this state. It is not, as Ms Lovell said, another knee-jerk reaction. We are looking at a considered, strategic approach to address and counter the various issues that lead to problem gambling, which badly affects people and their families.

Despite the various measures that were implemented, the rate of gambling seemed to be intractably high. A couple of years ago we saw the first signs of good news with a plateauing in the rate of increase in gambling expenditure. Also in the last year we have seen concrete evidence that the government's strategy and reforms are beginning to bite and to bear fruit.

I draw the attention of members of the house to the net figures for electronic gaming machine player expenditure by local government area, which are transparently available on the Web. Comparing the period September 2001 to August 2002 with the period September 2002 to August 2003, we see a decrease in the state average of 13.6 per cent.

Further, if we look at the local government areas that are of most interest to my electorate, we see that in the Melbourne local government area there was a decrease in expenditure of 17.8 per cent, which represents a reduction from more than \$80 million to \$66 million. In the Moreland local government area there was a decrease in player expenditure of 12.4 per cent, a

reduction from \$82 million to \$66 million; and in Yarra there was a decrease in player expenditure of 14.2 per cent, a reduction from \$38 million to \$32 million. That means there is a lot of extra money circulating out there in the community that is not going into gambling.

The Liberal opposition seems to have a schizophrenic view of gambling revenue given its views on gambling. Mr David Davis said that in 2002–03 gambling revenue going to the government was \$1.115 billion, but he failed to mention that there had been a 8.9 per cent drop in revenue from electronic gaming machines. On the other hand, Ms Lovell gave us a promotion for Tattersalls, espousing and waxing lyrical about the benefits of gaming to this state and the spin-offs for Victorians. We can see from the reduction in revenue from gambling that the government's policies and reforms are taking us in the direction we want to go.

The Gambling Regulation Bill will implement further responsible gaming measures. The bill has three key elements. It establishes a single regulator, the Victorian Commission for Gambling Regulation, to replace the Victorian Casino and Gaming Authority, the director of gaming and betting and the director of casino surveillance, which was a recommendation of the 2002 review of the gaming industry.

The bill requires that there be compulsory responsible gambling training for venue employees, as well as a ban on advertising. It also provides for the consolidation of existing gaming legislation. Significantly it requires that applications for all new gaming venues be accompanied by a planning permit or an application for a planning permit, and it gives local councils the right to seek a Victorian Civil and Administrative Tribunal review of commission decisions in relation to new venue applications and applications to increase electronic gaming machine numbers in existing venues. It further extends the time for councils to make submissions to 60 days.

The government will amend the Victorian planning provisions to include the requirement that a planning permit be provided as a prerequisite for a new gaming venue being given the licence to operate. It is very important that this role for local governments to provide input into decisions about gambling operations is strengthened, and that local governments can further represent their communities and assist them in putting forth the potential impact of such decisions to the gaming commission so that local information can be taken into account during those decisions.

I want to draw attention to a recent issue in the City of Melbourne. The Melbourne City Council at its

Planning, Development and Services Committee on 9 October dealt with a recommendation relating to the Flemington racecourse master plan and the proposed relocation of the Tabaret and entertainment facility and gaming component from within the Flemington precinct to a very public site on Epsom Road. The council flagged that it is considering making a submission to the Victorian Casino and Gaming Authority in support of the application for the master plan, but on the condition that the negative impacts from increased gaming machine revenue be minimised by reducing the number of electronic gaming machines to 70. The council also flagged that it would ask for a range of detailed management and operational conditions to be included in any conditions of permit, and also for the prohibition of automatic teller machines (ATMs) in the facility.

What was the reason? It was that the Melbourne City Council, given its authority to have input into these processes, had conducted a social and economic impact study of the proposed Tabaret redevelopment and relocation. That study highlighted some positives of an improved facility and improved access; however, it also drew attention to the negatives that come with the proposal. The Flemington racecourse is in the Maribyrnong Plus area, because Kensington, where it is sited, is included in Maribyrnong Plus, which is an area identified as one of Victoria's top five areas of concern with regard to harm caused by problem gambling. The government has already applied a limit on gaming machines in that area.

The council drew attention to a number of issues: firstly, the increased exposure of that gambling facility through its relocation onto Epsom Road; secondly, the fact that it is very much designed to be more attractive to local residents within a 2.5-kilometre radius; thirdly, that it is in an area that is very close to public housing, both in Kensington and Ascot Vale. The Victoria Racing Club in its own proposal to the minister, who is the responsible authority in this case, had recommended that the number of electronic gaming machines be reduced from 86 to 75. But when the council questioned the VRC more closely, the VRC provided the information that it is expecting to increase its earnings from each machine, from \$33 000 to \$54 000, because of the better facilities and increased exposure. Given the Productivity Commission's stated evidence that the prevalence of problem gambling is related to accessibility, this is an issue of great concern to the council.

Through its analysis and assessment of and its concern about the negative impacts due to an impossible increase of gambling in an area where there are already

caps in place and there is extensive public housing, and an area — Kensington — which has one of the highest percentages of residents on an income lower than \$200 per week per capita, the council has drawn attention to the need to reduce the number of electronic gaming machines to 70, and to provide that advocacy to minimise the impact of increased gaming expenditure, which is the anticipated good flow from that proposal.

These are very important opportunities that are further strengthened by the provisions in this bill to input into vital decisions which will have far-reaching effects on local communities that are in the proximity of gaming venues. The bill will allow both the applicants and any objectors to appeal to the Victorian Civil and Administrative Tribunal.

The reasoned amendment before the house deserves some reference: it is unreasonable, in that there has been widespread consultation, both in the review at the end of last year and through the election process, where a lot of the initiatives proposed in the bill were canvassed, and there is a proposal for the signage provisions to be widely discussed through a regulatory impact statement should the bill pass through the house today.

The comment relating to the government's inappropriate use of the Community Support Fund under current legislation is scandalous. This government has used the Community Support Fund to provide resources, facilities and support for community groups right throughout the state of Victoria. It has eschewed the Kennett approach, which was to use it as a slush fund for big projects in Melbourne, and it has put in place very carefully executed programs to support sporting facilities, drug rehabilitation and other residential care facilities, the Living Libraries program, arts and other cultural programs, and community building programs throughout the state.

We on this side of the house want to see that very important increase in funding for our communities out there, particularly in regional communities, go ahead, but not to the exclusion, as Mr Drum would suggest, of a pick-and-choose approach: some are in and some are out — everyone is in for applications.

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

Hon. B. N. ATKINSON (Koonung) — As other members have indicated, the Gambling Regulation Bill is a fairly substantial bill brought about by the consolidation of eight separate pieces of legislation. That is an appropriate move by the government. It is a

good move wherever we can to reduce the various pieces of legislation that cover different industries and to consolidate them so that there is one reference point for people who are involved in an industry. When you go through a process of consolidation such as this you pick up some of the anomalies, inconsistencies, drafting errors and clauses that are outdated in current industry practice and broader government regulatory frameworks. It is appropriate to address legislation in the way that the government has in this context.

I do not propose to run through all the various clauses of the bill; that was well done by previous speakers in the house today. I again have some personal concern about the renaming of the Victorian Casino and Gaming Authority as the Victorian Commission for Gambling Regulation, because I do not understand the need to rename it. To me it defies logic. We have this situation where government ministers — and I am not saying that this applies to just this government's ministers; government ministers in all state and federal governments on each side of the fence — when they get into office seem to have an enthusiasm for changing the names of departments, ministries, agencies and so forth. It is such a waste of taxpayers money when governments do this without a real reason to do so.

In this sense the changing of words does not reflect any change of activity for the authority that could not have been achieved under the existing name, thereby utilising its existing letterhead, its existing resources and the other materials it uses. To change the name for the sake of changing it is absolute nonsense.

When the Liberal Party comes to government I will be arguing very strongly on this side that we ought not be going through that process again and that wherever possible we ought to be trying to look at maintaining names and not changing them just for the sake of their being changed. As far as I am concerned it is a waste and cannot be justified.

I reflect briefly on the course of the debate. There were some aspects of the Honourable Damian Drum's speech today that had I had more time I would have taken some issue with, because he covered some points that I could not support. He is a good speaker and usually a very thoughtful person in this place; however, on this bill he said a couple of things that I thought were perhaps matters of conjecture.

Looking to the other side of the house, I was a little disappointed also with the contribution of Ms Romanes. Perhaps it is the adversarial approach that we bring to every one of these debates that makes members feel they have to defend their digs, but there is an attempt to

rewrite some of the history. The suggestion that gambling was out of control and unfettered under the Kennett government defies the facts, given that gaming machines were introduced into this state by the Kirner government in 1991. That needs to be recognised by both sides of the house; it is a matter of fact.

It is also a matter of fact that under the legislation that was brought in by the Kirner government the number of gaming machines in the state could have gone to 45 000, but it was capped at 27 500 by the Kennett government. That is a matter of fact, and we ought to make sure we understand that when we debate these issues. I do not believe it does any member credit, and I do not believe it does the house credit, if we ignore those sorts of facts as part of the debate. Certainly we can argue about other issues beyond those facts, but the facts are there and the house ought to recognise that.

Going back to when the Kirner government introduced gaming machines, had I been part of a government at that point in time I would have been arguing very strongly that the machines ought only to have gone into clubs and that they should not have gone into hotels, which has been to the detriment of some communities. It has meant that a range of individuals have profited by these machines rather than some of that money being returned to communities. There is some detriment to the community — particularly to individuals who have problems with gambling — with gaming machines. That is recognised.

It would certainly have been to the betterment of the overall policy had gaming machines been introduced only to clubs. The reason they were introduced to hotels at that time and the reason we went helter-skelter into gaming machines in 1991 was that most of the hotel industry in this state was in receivership. The ANZ Bank was the biggest hotelier in Australia at that time. It had more receiverships of hotels and therefore more licences than any other individual or corporation. That again is a matter of fact; that is not me using a debating point, it is a matter of fact.

Mr Pullen interjected.

Hon. B. N. ATKINSON — Carlton and United Breweries was big enough to keep it out of receivership, but the ANZ Bank was the financier of the hoteliers, and they all came home to roost. It had to take the licences over. At that time a lot of the problems were due to the changes in liquor licensing laws made by the Cain and Kirner governments, which by and large were good changes that have had a positive benefit overall to our responsible use of alcohol in the community. Nevertheless they were changes which, at

the time, were introduced way too quickly. They had an impact, coming in at a time when interest rates were sky high, and that combination of factors visited upon the hotel industry caused it enormous problems.

We ought to be pleased with our gaming industry's probity and integrity as an industry and the fact that it is a clean industry. Some of us might not like gambling or particular components of the gambling industry, but by and large in Victoria it is much cleaner than almost anywhere else in the world. That is because of the processes that have been put in place and managed by both sides of the house. Again that is a matter of fact and it ought to be recognised in terms of respect for one another in this house that we have actually both maintained a system that has ensured integrity in the gaming industry, and that is very important.

With regard to gaming machines, obviously they are a form of entertainment, although I do not find them entertaining; in fact I find them anything but entertaining, and I think it is most unfortunate that we have problem gamblers. We have to do all we can to help people who have a gambling addiction, but I do not think some of the methods being used by the government in this legislation are going to be successful in that regard. I believe it is appropriate that this legislation allows local government to have more of a say in gaming machines, but I am adamant that that local government input ought to be constrained to issues of a planning nature rather than the moral issues, if you like. Local government, when it comes to issues like brothels and liquor licences, only considers the planning issues. It is not there to judge the moral issues in either of those areas, and as a matter of consistency in public policy and administration I think it is important that local government maintain that position in regard to gambling.

The reality is that if we are going to allow gambling to be legal, we need to make sure that everything fits into a consistent policy framework. We ought not to be chipping away at the edges if it should be legal. If we have real problems with it, let us make it illegal. Let us bear the enormous cost of taking it back and again stopping some forms of gambling or whatever. Let us be consistent in public policy. Local government and local communities ought to have a say. There is already provision for them to have a say, and I certainly think that provision is okay, but only from my own point of view, if it is obtained in a planning sense. I certainly would not want to see the process of approvals and consideration of matters affecting venues to be unnecessarily delayed because local government started to play games with planning permits on a basis which is

not really within their expertise and knowledge of the gaming issues.

I indicate also that I have some concerns as we go forward with this legislation because it will no doubt be the basis of discussions between the government and the two major companies, Tabcorp and Tattersalls, about the future of the licences they hold for gaming in this state. Those licences run through until 2012. There is provision in the existing legislation for those licences to be negotiated ahead of 2012, recognising the substantial investment in the industry. It is appropriate that there be negotiations and discussions about those licences ahead of time. But I would hate to think the government would lock those in ahead of the times provided for in that legislation, or indeed that it does not recognise that the money that is likely to be achieved by the renewal of those licences is money that belongs to future Victorians, and it should not be used to prop up budget deficits at this time.

There has been talk of a \$1.5 billion licence fee to each of the two major companies bringing in an amount of \$3 billion to government revenue, which in accounting terms should be looked at beyond 2012. It might be a little idealistic on my part, but I believe that money should be treated very judiciously by a government because it belongs to the future. Frankly I am not prepared to say at this point whether \$3 million will be the right amount of money to negotiate on those licences in 2012, let alone 2020, which is the year we propose extending those licences to. That is a very important issue that will follow from the legislative framework that has been developed here, and the government needs to pay it particular attention.

However, the main area of my concern is the advertising signage. I note that the member for Kew and shadow Attorney-General in the other place, Mr Andrew McIntosh, has looked at this area of advertising signage. He believes the government is potentially leaving itself open to legal action on the basis of an infringement of the intellectual property of companies with gaming licences. Their intellectual property could be valued at more than \$1 billion, and the government may well face a compensation claim based on restrictions it might seek to impose on the use of that intellectual property. That is a very serious issue, and hopefully it will be canvassed adequately during the consultation process Ms Romanes has referred to. However, I see that as a *fait accompli*. It is almost like telling a condemned man that he has a choice of ways to die, but the result is the same. That seems to me to be the same outcome as the consultation process on advertising signage. The government does not want you to have advertising signage; it simply gives you some

sort of option to get you to that position, but the outcome is the same.

It is absolutely ridiculous, particularly in country areas where we have Returned and Services League clubs, community clubs and sports clubs, not necessarily sited in the main streets of towns, which depend on signage to generate traffic. It is informational signage in many cases. There are certainly clubs that play a significant role in the life of their towns and suburbs that are also important to the local tourist industry. I find it very disturbing that under this legislation some of those clubs will need to remove their signage. I am happy about signage controls. I do not mind if the signage becomes information signage, but these clubs have a significant investment in their signage, and I will be very disappointed if the government curtails that investment. It occurs to me as a Liberal that any product that is legal ought to be able to be advertised. You might restrain the sort of advertising to make sure it is information rather than titillation, but it should be able to be advertised.

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

Hon. S. M. NGUYEN (Melbourne West) — I would like to make a contribution to debate on the Gambling Regulation Bill before the house today. This bill will be very important in helping people who have problems with gambling, and in Victoria today we have many people with gambling problems. The government has to do something to protect the interests of the community. I note that the gaming industry is becoming bigger every day and is harming the community. Since coming into government in 1999 the Labor Party has made many amendments designed to improve the situation. We have seen that that is not enough — we have to do more and more every day to control the problem.

In 1999 the government reduced the number of 24-hour gaming venues from 130 to 17. That was a big plus, because people tended to forget to go home from these venues. Closing the venues discouraged them from staying longer. The government also introduced clocks so people could see the time. Day and night are the same in gaming rooms. It does not matter if it is 9 o'clock in the morning or 9.00 p.m. — it all looks the same. The government tried to limit access to automatic teller machines (ATMs) and EFTPOS machines in gaming venues and banned credit card access to them. When people had access to credit sometimes they would keep borrowing money and could not afford the debt. The ATMs encouraged people to get money out

because it was so easy. The government tried to make it harder and prevent people from using credit cards.

There are many important things in the bill. This new legislation will allow the government to control advertising. It is easy for people to be attracted by advertising and promotions. In the past I saw the casino advertising community festivals and giving children \$10 or \$20 gambling vouchers. We have tried to stop that and ensure the community does not get hooked on gambling. The advertising and signage changes are very important. I have seen people putting promotions in letterboxes. The government has now stopped that happening. The people who run the business have to be more responsible.

Another important thing is the local councils. In the Kennett years local councils had very little say about permits for gaming venues. Today we will hand power back to local councils so they will be able to appeal decisions of the Victorian Commission of Gambling Regulation to the Victorian Civil and Administrative Tribunal instead of going to the Supreme Court. Municipal councils will have a lot of input into decisions about permits. I encourage community members who are concerned about permits for gaming venues to contact their local councillors or councils and raise those concerns. The Maribyrnong and Brimbank city councils, among others, are very active in running campaigns to help problem gamblers.

This is another step forward. The Bracks government wants the gaming industry to act in a more responsible way. The new bans on advertising and signage will apply to all advertising outside the gaming area of a venue or a casino's boundaries which promotes the playing of gaming machines, whether that advertising is printed material, television, cinema, radio or Internet advertising. We think this will stop children and under-age people being exposed to the promotion of gambling. In conclusion, I support the bill before the house.

Hon. ANDREA COOTE (Monash) — This is a large bill, as so many of my colleagues have said. I do not believe it has had the proper consultation process with the community that it warrants. I agree with and support the reasoned amendment the Honourable David Davis has brought in. This bill is complex and needs to go out into the community for more consultation.

As it stands this bill deals with a number of items. It makes about 40 changes to the legislation, and I will not go into detail about them, but as a brief summary they include things like: the abolition of the Victorian Casino and Gaming Authority; giving more control to

local government through planning and appeal opportunities; removing Tabcorp's immunity in relation to shareholders; and introducing new restrictions on advertising — and I will deal with that later in my contribution. They are the principal changes made by the bill.

The bill also reduces the period within which permit-holders must pay to the Treasurer unclaimed moneys from oncourse and offcourse betting from 12 months to 6 months; accredited training courses will be required for all permanent gaming staff in venues for the purposes of identifying and reacting appropriately to problem gamblers; junket operators to the casino will be deregulated, with the casino being responsible for probity checks; and gaming premises which once had to renew their premise approvals every five years will now only have to get approval once.

Interestingly the Minister for Gaming has distanced himself from any legal action on the implementation of regional caps, the removal of electronic gaming machines — or EGMs — or any amendments to a venue's licence on the number of machines allowed in the venue. Any decision by the minister will not be able to be challenged or called into question.

Complex as the issue may be — and we have seen the size and nature of this bill — I personally have some concerns about gambling in this state. In fact I am a little ambivalent. On the one hand we have invidious advertising; on the other we have the benefits that come from gambling. We also see issues like problem gambling versus issues like enjoyment. On the whole, there are people who should and can choose how they want to gamble in this state — that is important. The majority of people are responsible gamblers who gamble for enjoyment. Gambling is a tourist attraction and one of the recreations that many people in this state enjoy. It is important that we have choice — it is very important — but by the same token it is also important that we have an appropriate safety net so that we as a community can look after the people who are unable to resist the temptation of gambling and who cause problems for their families and loved ones.

As I said, I am ambivalent — I see the good and the bad. It is a very difficult issue to come to terms with. On the one hand you listen to Tabcorp, Tattersalls, the casino and the Returned and Services League; on the other hand you listen to Tim Costello and hear of the flip side — the heartache and problems that so many people experience. As a community we need to continue to examine this issue, to look at it and to try to make it better for people on both ends — those who

want to enjoy gambling responsibly and those who have some problem with it.

It is important at the outset of my contribution to understand exactly what Tattersalls contributes. It has a gaming network of 261 hotels and clubs in Victoria, and it paid \$377 million in taxes to the state government last year as well as contributing \$67 million to the Community Support Fund. That information is from an article in the *Age* of Wednesday, 26 November.

An article in the *Age* of 14 October this year states:

Australian Hotels Association chief executive, Alan Giles, said the advertising ban —

which is in this bill —

would do nothing to help problem gamblers. He said the government was implementing the ban to please the anti-gaming lobby.

So again here are two sides to the argument.

Regarding the advertising, there was an article by Matthew Pinkney in the *Herald Sun* not so long ago. He said the advertising is very misleading; it shows BMWs, glamorous people, Armani clothes, success and winning, when the reality is not that at all. It is frequently cars on hire-purchase, people in clothes that they can only just afford and people losing significant amounts of money. The advertising we are seeing at the moment is extremely misleading. In fact it is quite difficult to see what is being advertised. Some of the advertisements look like they are for cheap food. If you look at the current advertisement for the casino and the casino hotel it is not until the very end, or unless you are very sophisticated, that you see that it is advertising a casino rather than just some hotel room. By the same token we regularly see in the newspapers well-placed advertisements in which Tattersalls talks about the support and recognition it gives to individuals within our community and the enormous amount of good the Community Support Fund does.

So we have both sides: the insidious advertising trying to appeal to the vulnerable, and the responsible corporate citizen giving back to the community. It is a balance that is difficult to achieve. I spoke last week with the Reverend Tim Costello. He reminded me that one of the increasing problems with gambling is with middle-aged women. I have looked into what happens with those middle-aged women, and it is salutary to reflect upon what brings those women in. In a recent episode of the *7.30 Report* Tracey Jones, a former gambler, said:

I threw away a career, I hurt my family and none of it was worth playing the poker machines.

She is a mother of three and had a good job. She was well paid and had never broken the law until she stole nearly \$330 000 from her employer. The reporter asked Tracey Jones:

You knew you were breaking the law, didn't you?

Tracey Jones replied:

Deep down, yes, I guess I had to have known what I was doing was wrong, but the urgent need to gamble just takes over everything.

I believe we in this chamber find it very difficult to comprehend why these people feel this need.

A *Herald Sun* article of 12 October said a study of regular pokie players has revealed that women are playing longer and betting more. The study, which outlined data from Tattersalls loyalty-scheme members, sheds light on the habits of frequent poker machine gamblers. I would like to share with the house some of the reasons the women gave in a recent report called *Playing for Time — Exploring the Impact of Gambling on Women*, which was commissioned by the Department of Human Services. The women said it is:

A place to go where you can be with others and not have to be any type of woman — just be. It combats social isolation.

...

We as women don't really have an opportunity to be treated as adults, responsible yes, but not fully adult, not fully participating — but we also aren't treated in ways that give us permission to play either.

Another section says:

It's like fairy floss — it looks beautiful but when you bite into it there's nothing there.

Another:

I'd like to have clocks in the venues — it's such an obvious kind of trick (to not have them). No natural light — no clocks, 3 o'clock in the morning or 3 o'clock in the afternoon — it's all the same — but it's such a simple kind of trick.

They go on:

I ... can go to work dressed in just a track suit 'cause I'm not facing anybody. I'm only talking over the phone, and I'd say to myself, 'Well I'm just wearing a track suit today' and if I've got runners on I used to know 'I can't get into the pokies venue', but now, you can get in like this ... (indicating track suit and runners)

Those are some of the issues that women put forward. It is socially acceptable to go to the poker machine venues. I think many of them are lonely and vulnerable,

and I feel that we need to have a closer look at why these women are going to these venues. We as a community and as policy-makers need to have a much closer look at the reasons.

From a tourism point of view, once again there are two sides to this. If you ask the anti-gambling groups they say that no signage is a good thing. This bill deals with signage, and it is an issue that is of grave concern to some of the smaller pubs and clubs in country areas — the Returned and Services League (RSL) clubs and some of the pubs that get the local venue. Once again there are two sides to the argument. The findings in a report on tourism prepared by KPMG Consulting in September 2000 are that people game locally and gaming does not provide a substantial boost to tourism.

However, the pubs and clubs believe that they need to have proper signage and that it is important to have that signage because they want to attract people to come to their areas. If you have a look at the Mildura area, for example, you can see the types of tourist attractions there. There are seven venues: the Mildura Gateway Tavern, the Mildura Golf Club, the Mildura Grand Hotel Resort, the Mildura RSL, the Mildura Working Man's Sports and Social Club, the Ouyen Club and the Red Cliffs Club. All of these hope to attract people to their venues by signage, and on the whole most of the people on holiday do like to have the opportunity for a bit of a flutter.

The major concern for some of these areas like Mildura, Echuca and Robinvale is the proximity to the border. The gambling laws this government is making and the difficulties they make for gamblers force people back into New South Wales gambling venues, and an enormous amount of revenue is being lost. An article in the *Age* of 7 March says:

Victorian gamblers are crossing the Murray River to take advantage of more relaxed smoking laws in New South Wales, prompting —

people —

to call for an exemption for Victorian clubs and hotels near the borders.

The article goes on to say:

At the worst-hit club, in Robinvale, turnover on gaming operations had dropped more than 40 per cent in the three months after the ban was introduced.

Robinvale is a tiny town, and it needs all the advantages it can get. On Friday, 8 August, an article in the *Herald Sun* states:

Clubs Victoria executive director Mag Kearney said several poker machine clubs on the Murray River were battling to stay afloat as punters flocked to New South Wales venues where smoking was allowed.

It is important to make certain that all these towns get the best advantage they can for tourism, and if the problem gambling aspect can be addressed and can be looked at properly, it is helpful for people to be able to have flexibility in their holidays and in these towns and to have an opportunity to gamble responsibly if that is their choice.

Finally, the editorial in the *Age* of 16 October is interesting. As I have said, knowing the difference between what is good and what is bad, what is acceptable and what is not acceptable, and what is good advertising and what is bad advertising is confusing for the community. But I think the government too is a little confused. The editorial says:

The Bracks government's responsibility is clear. It cannot have it both ways on this issue. It must not abandon its pre-election promise to ban gaming machine advertising under the influence of vested interests.

It is a complex issue. I encourage the government to have a closer look at the types of advertising that can be used in these areas in small towns, because they need every advantage they can possibly have. I support the reasoned amendment.

Hon. D. KOCH (Western) — I appreciate the opportunity to make a contribution on the Gambling Regulation Bill 2003. Not wishing to use a lot of time and appreciating that we are getting towards the end of the day, I think most of this bill has been adequately covered by many people who have made contributions.

I think my principal contribution will lie in my shadow portfolio of racing. Chapter 4 of this much-needed and supported consolidated bill is dedicated to wagering and betting, and it runs from page 224 to page 287. There are principally two areas I want to raise about the bill as it relates to racing. The first and most important is the unclaimed dividends from oncourse betting. Today this money goes across to the government after 12 months, but this bill will cut that in half, so that those unclaimed dividends will no longer be available after 6 months.

Currently there are approximately 11 000 claims on unclaimed dividends for the period from 6 to 12 months post-wager. Previously, after 12 months, claims in Melbourne were handled by the State Trustees and collected by the punters from that point. That is now going to take place only after six months, giving a further windfall to government of up to \$6 million per

annum. In the past punters had the opportunity to pick up delayed claims at their local TAB. Now they will have to come to Melbourne after six months — —

The PRESIDENT — Order! The time appointed under sessional orders for me to interrupt the business of the house has now arrived.

Business interrupted pursuant to sessional orders.

Sitting continued on motion of Hon. M. R. THOMSON (Minister for Small Business).

Hon. D. KOCH (Western) — As I was saying, unclaimed dividends will now have to be picked up by punters in Melbourne no later than six months after the wagers have been made. We see this as probably an early grab for punters' returns at a further cost to the industry. This has to be resourced, and opposition members assume that the industry will have to do that resourcing. It is from this source that the Bracks government has funded the museum at Federation Square — and I think we are all aware that it is being done through a partnership with Racing Victoria Ltd (RVL). This is a great investment for the racing fraternity, and we all await its completion after a yet again successful and record Spring Racing Carnival.

The other matter I wish to bring to the attention of the drafting people in particular is the duplication in proposed section 4.4.13 under the heading 'Unclaimed refunds and dividends' on page 268 and proposed section 4.6.9, under the heading 'Unclaimed refunds dividends and prizes' on page 276. Both these sections have identical wording, with the exception of the title line, which in the second case includes 'prizes'. This may be an oversight and may require reviewing.

The racing industry in Victoria is a great industry. It is a major employer and makes a huge contribution to the state economy. While racing will continue to face many challenges, probably the most contentious is in relation to funding streams. As many will appreciate, the primary funding source for racing is a joint venture with Tabcorp, where 25 per cent of all profits from gaming and wagering go direct to the industry. Many heard warning bells when the smoking bans at gaming venues removed some \$8 million from last year's distribution to RVL alone.

Is it any wonder that many owners, trainers and volunteers have become agitated while watching the racing bureaucracy balloon and empires grow? Only last week during the adjournment debate I raised some concerns which had been expressed by the greyhound racing community — and why would it not raise them? This board is a big spender. It is growing internal

departments and driving recurrent expenditure at the cost of contracted services and stakes, showing little respect for or recognising the value and efforts of volunteers at the same time as challenging the performance of club management.

The findings of a review by IER Pty Ltd of greyhound activities will doubtless, among other things, allude to occupational health and safety issues at racing centres. I look forward to reading these findings. My challenge to the greyhound code is no different to my challenge to other codes. Occupational health and safety compliance must be made affordable, with administrators making sure these issues are not used as a barge pole to threaten track closures. Greyhound Racing Victoria is not short of chips; it has healthy reserve funds and valuable central business district commercial investments to call on in the event that shortfalls occur. The Greyhound Racing Board includes ministerial appointments; there are no industry nominees on the board. It is headed by a former Labor member, and she is surrounded by Labor sympathisers — without industry representation.

In closing, the Liberal Party recognises the efforts of those who have drafted this bill. We think they have done an excellent job consolidating eight bills into one. The opposition supports the reasoned amendment before the Chair.

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

Ayes, 22

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

Noes, 16

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

Pairs

Broad, Ms	Vogels, Mr
Nguyen, Mr	Bowden, Mr

Amendment negatived.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1

Hon. D. McL. DAVIS (East Yarra) — I rise with respect to the objectives clauses of this bill. The main purpose of this bill is for an act to re-enact and consolidate the law relating to various forms of gambling and to establish a Victorian Gambling Commission for Gambling Regulation. I have spoken to the minister about this section, and we have agreed that we can cover most of the issues in this objectives clause. I also talked to him about the signage issues that were discussed in contributions to the second-reading debate.

One of the things that I am seeking to understand is what research was undertaken regarding the relationship of banning directional and locational signage to the abatement of problem gambling? Is there some information on that or has some survey work or other work been carried out?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I welcome the member's interest in the respective issues in this extensive bill that brings together a number of acts, so I will try to cover as much as I can in regard to clause 1. I am advised that the notion of banning advertising and signage will remove prompts that might influence people who have trouble controlling their gambling behaviour. It is intended to reduce the impulsiveness of problem gamblers. Although there is not extensive research in this area, the reason why it has been included as part of the bill is based on the experience of New South Wales where it was shown to be effective in reducing the incidence of problem gambling.

Hon. D. McL. DAVIS (East Yarra) — Can the minister point me to the research, study or studies that might lead to that conclusion from New South Wales?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — While I do not have that information immediately in front of me, and I do not believe the advisers do, I am happy to undertake to seek that information from the minister so it can be provided to the member in due course.

Hon. D. McL. DAVIS (East Yarra) — I noted through the debate in both chambers, and outside this Parliament, that so many different figures have been

used about the money the government is claiming to devote to problem gambling. Obviously there is an urgent need in the community to make sure that sufficient money is devoted to both problem gambling and research. Some of the money comes from different sources, and it is extremely hard to understand exactly what sort of money comes from where and the quantum year by year. Can the minister read into the record the amounts spent by the Bracks government from the different sources expended on problem gaming issues?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I welcome the member's interest in this matter. There are different breakdowns of respective figures, and I will try to provide figures that have been supplied to me to see if they are sufficient for the member. Drug prevention treatment in saving lives is \$45 million; gambling prevention is in the order of \$24 million; sport and recreation, \$35 million; arts, \$20 million; tourism, \$10 million; and emergency services, \$13 million. They are broad category headings, and no doubt there are more specific figures within those headings. Although I do not have those figures immediately in front of me, should the member wish to have more information then I am happy to seek that information in a table form from the appropriate minister.

Hon. D. McL. DAVIS (East Yarra) — That will make expenditure in that area a lot clearer for everyone, which I welcome. The proposed new commissioner for gaming will be a position of immense power and authority. The person will be assisted, as we have heard in the debate and in the bill, by two part-time commissioners. Currently there are 10 commissioners, and it is clear that this is a concentration of significant power and authority in a small number of people, and in particular, in that executive or full-time commissioner. How does the minister envisage those appointments being made, a regime where that person in a sense — I flagged this in my second-reading contribution — can be seen to be above and beyond reproach? Perhaps there will be some appointment system that would make that person more like a Supreme Court judge or an ombudsman, somebody who would be appointed in such a way that they are in a very solid position and at the same time the community can have confidence. Will the minister comment on that?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I am advised that commissioners will be appointed by Governor in Council, and three is the minimum number. There is no limit to the opportunity to provide sessional commission members. The notion is that they might be appointed based on their specific expertise, for specific matters or on a standing basis.

While three is the core group, that does not necessarily mean it will only ever be three. It is more likely that there will be additional sessional commission members appointed from time to time.

Hon. D. McL. DAVIS (East Yarra) — I thank the minister for that, but can I ask what number of commissioners the government would anticipate appointing in the first 12 months or two years? Is there some plan in that regard? Has the minister considered this issue? Is there a policy position?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I am advised that the commission would be undertaken with three from commencement, but while there is no notion of the numbers to be appointed in any particular period of time, say the first 12 months, there would be some sessional members appointed, I understand, on the basis of what might be considered to be the priorities of some of those matters to be considered by the commission.

Hon. D. McL. DAVIS (East Yarra) — Is there some mix in the background of those commissioners, the sessional ones included, that the minister or the government has in mind in some sort of policy sense?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — At this stage it is not considered that any one or number of individuals with specific skills would be appointed. There are no persons currently being considered. I qualify that by saying those sessional commissioners to be appointed would be appointed given a particular skill set which would be appropriate in relation to the matter or matters to be considered and hence their appointment as sessional members. To cut a long story short, it would be specific to the items being considered and to the skill base brought to that consideration.

Hon. D. McL. DAVIS (East Yarra) — I thank the minister and indicate that I understand that not all of this has been fleshed out, but it is a matter of some sensitivity as I outlined in the second-reading debate. Certainly the opposition is very cognisant of the significance of this person and the importance of having the right executive and deputy commissioners in place. Does the government have in mind some appointments procedure? Perhaps the minister might outline precisely how that process will work.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I am advised that they would be appointed by Governor in Council after consideration by cabinet, but I am also advised there would be one person appointed by nomination of the Chief

Commissioner of Police who would sit in relation to probity matters in particular.

Hon. D. McL. DAVIS (East Yarra) — I thank the minister again for clarifying what is a very sensitive matter of the appointment. Would the minister or government consider informal, or indeed formal, consultation with the opposition on the matter of the final appointment?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I am informed that in matters relating to the appointment of these members, full and thorough consideration would be given by cabinet, but also there would be broad consideration and possibly consultation in relation to who would be deemed appropriate for these sorts of appointments. This does not necessarily guarantee the opposition may or may not be consulted, but it does not rule it out either.

Ms Mikakos — Do you have someone specific in mind?

Hon. D. McL. Davis — No, absolutely not. I am just — —

The CHAIR — Order! Your next question, Mr Davis!

Hon. D. McL. DAVIS (East Yarra) — My point is that this is a very significant matter. I thank the minister for his further elucidation. In, as I say, the sensitive matter of these appointments I wonder whether the minister could outline how, aside from the involvement of a police officer in the selection committee, probity checks would be undertaken and what process would operate there.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I appreciate the opposition's significant concern in relation to probity matters based upon consideration of the appointment of the respective commissioners. That is a matter of utmost significance and worthy of consideration in relation to the operation of all matters of these commissioners. It has been the practice in recent times, because in any considerations of magnitude where choices are made that may affect perceptions about financial matters when appropriate considerations are necessary, that probity auditors be appointed or that probity practices be articulated in relation to any government issues, so that any criticisms can be dealt with accordingly based on the independence of probity auditors. That would be a prime consideration in the implementation of any significant decisions or appointments in relation to matters regarding the commission.

Hon. D. McL. DAVIS (East Yarra) — That certainly clears up a number of matters. On the matter of the probity commissioner, probity officer or consultant who might undertake that work, I ask whether the government would consider making that information available either to the Parliament or to the opposition after the appointment has been completed so that the community can have full confidence that that process has been undertaken in the way we would expect, in line with the objectives of the bill.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — Again I am acknowledging the member's concern about these matters. The government considers that probity matters are of the utmost importance, as well as the management and transparency of those matters. I can assure the member that the government will provide the utmost transparency in relation to those matters. However, I qualify that undertaking in relation to matters — and I air these now — that might relate to either commercial confidentiality where that is deemed necessary as part of longstanding government policy that publication of contracts, where acceptable, will be made public in the normal process on the Internet, but also appreciating that privacy issues regarding individuals would have to be adhered to within the confines of those probity issues.

Bearing in mind the fine balance between an individual's privacy and matters of public policy in relation to probity and transparency, the government would seek to make the process as transparent as possible so that the public can have full confidence in all matters of probity, the respective probity reports and the respective contracts that are dealt with by the commission.

Clause agreed to; clauses 2 to 12 agreed to.

Schedules 1 to 7 agreed to.

Reported to house without amendment.

Report adopted.

Third reading

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

That the bill be now read a third time.

In doing so, I thank honourable members for their contributions.

The PRESIDENT — Order! I am of the opinion that the third reading of this bill requires to be passed

by an absolute majority. As there is not an absolute majority present I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

The PRESIDENT — Order! I am of the opinion that the third reading of this bill requires to be passed by an absolute majority. In order that I may ascertain whether the required majority has been obtained, I ask those members in favour of the question to stand where they are.

Required number of members having risen:

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

PREMIER'S DRUG PREVENTION COUNCIL

Annual report

Mr LENDERS (Minister for Finance) — By leave, I move:

That there be laid before this house a copy of the Premier's Drug Prevention Council report for the year 2002–03

Motion agreed to.

PAPERS

Laid on table by Clerk:

Statutory Rule under the Supreme Court Act 1986 — No. 142.

Subordinate Legislation Act 1994 — Ministers' exception certificates under section 8(4) in respect of Statutory Rule Nos. 140 and 142.

BUSINESS OF THE HOUSE

Adjournment

Mr LENDERS (Minister for Finance) — I move:

That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting will be notified in writing to each member of the Council.

In doing so, I would like to speak to the motion with the traditional Christmas felicitations.

Christmas felicitations

President, the year 2003 has been a big year in the Legislative Council for me and 16 other members, as it was our first year in this place. We are the new chums on the block who have seen through a full parliamentary sitting year, and in a sense it is probably worth briefly reflecting on some of what that year has been for us.

I would like to reflect on three things. Firstly, it has been a year of change in the Council. The passage of the Constitutional Reform Bill obviously has had some effect on the Council, but it will have far more significant effects in the years to come. For the first time in the history of this place, I understand, every member other than the Chair spoke on a bill, so it was a big year for the Council with that bill having gone through.

Secondly, there was the issue of the sessional orders in the Council. Again on the theme of change in the Council, that change has drawn on the rich traditions of the place but set out a different way of running it.

The third thing I refer to is that it has also been a very big legislative year for the Council. I believe 114 pieces of legislation going through this house in 49 days is the highest number since 1994, when there was a higher number of bills.

Following on those three things I would now like to reflect in felicitations on where the Council has gone. Firstly to you, President, your able deputy, Ms Romanes, and your eight able assistants as temporary presidents, on behalf of the house I thank you for your efforts. As we sit here in the house we have the luxury in a sense of being able to make our contributions and then tune out sometimes. While we all, as good legislators, obviously pay attention to everything that happens, for you in the Chair and those who ably assist you — —

Hon. Bill Forwood — Permanently tuned out!

Mr LENDERS — You, President, and they need to be focusing on what is going on.

The PRESIDENT — Order! I am not tuned out. I would prefer less noise in the chamber.

Mr LENDERS — You also need judiciously, when there is dispute in the chamber, to have remembered what a person has said, understand the sessional and

standing orders and be ready to smooth the troubled waters. I thank you and those who ably assist you for your and their leadership of the very boisterous mob that we are sometimes.

I also acknowledge the work in supporting us that comes from the Clerk, Wayne Tunnecliffe; from Matt Tricarico, his able assistant; from Ray Wright, the usher; and from Stephen Redenbach, the manager of the procedure office. For me as a new member coming into this place, whilst I did have three years in the Legislative Assembly, the Legislative Council has a culture of its own, and the sage and wise advice from time to time — and calm advice — is something I have certainly appreciated and something I am sure all members of the house have appreciated, particularly those who have either had to initiate motions, been in the Chair or at various times have sought to move motions.

Again I congratulate those gentlemen on their work, for their calmness and for their sage advice. Sometimes we may be a boisterous mob, but those people need to focus on what is going on at all times and at all hours of the day and night. I congratulate them and thank them for their work.

Similarly, I thank the papers office staff — Felicity Murphy, the manager; and her staff, Rebecca White, Melissa Large and Deborah Gillette for their ongoing work in supporting us in the operation of this house.

I also thank Russel Bowman, the principal attendant, and those who ably assist him — Michael Stubbings, Greg Mills, Philip Stoits, Peter Anastasiou, Jo Hansen, Neil McCormack, Carrie Jansen and Quentin Cornelius. Again their patient support of us through the many strange requests we have for our many needs in this place and their cheerfulness about it is something I certainly thank them for.

We could not have felicitations without mentioning Bill Schober, the car park attendant, who guides us in, looks after us and is someone we never want to cross.

I thank Gail Dunston and her able team in the parliamentary library, who assist and support us all as each year goes on. Again, the support and ongoing advice, particularly for those in the house who are not ministers, is appreciated.

I thank Carolyn Williams and her staff at Hansard. Sometimes when we speak calmly and succinctly, Hansard is probably a normal job. Sometimes we get a little bit excitable in this place, and there is a little bit of banter and interjection as we as a boisterous mob go on. We would particularly like to thank the Hansard staff

for their patience and for the way they manage to bring the material up — and most particularly for the one all-nighter we had, where after very short notice they certainly made what we said at 7, 8 or 9 in the morning, when the rest of us were a little bit bleary-eyed, appear very good. Our thanks go to Hansard.

I particularly thank my colleagues on the government side: my very able deputy leader, Gavin Jennings, and the other ministers, for their ongoing support. I would like very much to thank Lidia Argondizzo, our whip. As a new chum in this place Lidia had to learn the rules of the place and keep this very unruly mob in order and have people rostered on to speak. Lidia has got us all going, and she has done it with great aplomb. I also acknowledge her very able assistant, Cartha Maloney.

Unusually, I would like to thank a SNAG in our midst. Many in this house would be amazed to know that among us there is a sensitive New Age guy who has a very rough, tough exterior —

Hon. Bill Forwood — Smithie!

Mr LENDERS — Correct! It is Mr Bob Smith, who operates as the social secretary for the parliamentary Labor Party. This man has organised our dinners on two occasions, and he keeps us bonded together socially. There is a career for Mr Smith — our sensitive New Age guy and social secretary — as a function organiser after his time in this place.

I thank the entire parliamentary Labor Party. It is a great team, particularly the new members who have adapted to it. Some of us had not met each other before the election. I again thank my parliamentary colleagues.

I would also like to thank the opposition, particularly its leader, Mr Philip Davis; the deputy leader, Mrs Andrea Coote; and the Opposition Whip, Mr Graeme Stoney. Government and opposition members have a difficult relationship. Sometimes we have robust debate across the chamber, but we deal with each other frequently and try to work together behind the scenes to achieve things. I appreciate the cooperation and support of opposition members during the year.

Similarly, I would like to acknowledge Mr Peter Hall and Mr Damian Drum, the Leader and Deputy Leader of the National Party, for the behind-the-scenes work and cooperation we manage to achieve. While it is sometimes hidden in the boisterous operation of this place, their ongoing support is much appreciated.

I would also like to acknowledge the Chief Parliamentary Counsel, Eamonn Moran, and his staff. I mentioned at the start of my presentation that 114 bills

had gone through this place during the year. In a sense they are the hidden workers who put the conceptual ideas of government into writing. As Leader of the Government I have the privilege of meeting weekly with Eamonn and his team as we plan that, and I acknowledge them.

I acknowledge our electorate officers and other staff and thank them for their ongoing support. They are the hidden support of every person in this place. They keep the home fires burning, so to speak, when we are in this place. All of us come from political parties, and all of us have volunteer and branch networks behind us. They are the hidden people who need acknowledgement, and I take the opportunity today to do that.

I would also like to acknowledge the ministerial staff. The ministers in this place have a lot of support from their advisers, who work the same strange hours as we do. I particularly acknowledge Caitlin Phillips from my office, who has done an enormous amount of work in providing administrative support for the parliamentary Labor Party in this term.

Among the people who often do not get acknowledged are the departmental staff who come to support us in debates on bills. In my own areas of finance and consumer affairs there are people like Adrian Nye, Peter Coatman and Patrick L'Estrange, who are sometimes here until all hours with very little notice. All ministers have their departmental advisers. They come along and support us, and their work needs to be acknowledged.

I would also like to acknowledge the catering department. In his first week as acting catering manager Luke Jordan walked into an all-night session. I do not know what you do as a new catering manager when you suddenly find you have to feed 50 or 60 people at those hours. Luke did well — and he stayed with us! Also Robyn Rogers, who manages all our accounts, Malcolm Sellar, the executive chef, and all the staff look after us so well. I wish them well.

Another lot of people who often do not get mentioned — and perhaps this comes from my heritage as a member of the Legislative Assembly — are Warren Smith and his team, who manage the vestibule for us. They look after us and deal with our guests as they come in. I thank them.

Finally, I would like to publicly acknowledge and thank our families and friends, who are there when we need them during years like this. This work can be amazingly disruptive of family life. People leave their partners to come here for days and days on end and

then go back. Our families keep the home fires burning; they look after us and are there for us when we come back. I give all of them an acknowledgement and a thankyou.

In one sense, as members of Parliament, the 44 of us are part of a very unusual and dysfunctional family, as are the number of people who support us. We work together and interact together — we almost live together — and at the end of the year it is worth reflecting on that. I wish each and every one of you a very happy Christmas and all the best for the new year.

I think there is a bond between all those from this 55th Parliament that will continue for many years. I wish everybody well and I look forward to coming back and joining everyone here in March and I wish everyone a safe and happy Christmas.

Hon. PHILIP DAVIS (Gippsland) — This is the first time I have made a contribution on the Christmas felicitations. I have been here since 1992 and watched successive leaders of the opposition and leaders of the government get up and make various comments. I did not want to be trite and deal with this just perfunctorily; I want to deal with this as an important part of the parliamentary process.

I think it is important for us to say, 'Well, we may have had the swords out and been duelling across the parliamentary chamber in a vigorous way this year but this is a time as we move into Christmas to think about what that means to some of us from a religious perspective'.

I think we all have families to go and share some time with. It is important that we do that and get grounded again because many of the issues that we contest here are a step away from the real world and from the point of view of people living their daily lives. We see the issues in context and the political issues in play — was it 114 bills for the year? So, 114 bills would imply that this is the centre of the universe — but it is not! It is simply the place where the regulatory framework of the state is established, and many people help us do our jobs.

But the people who are most important in our lives and in doing our jobs are our families. Before I say more I would like to say thank you on my behalf to my family and I know I speak for members of the opposition — we could not function at all here without that backup.

I want to acknowledge particularly those members of our extended family who help us when we are here. Like it or not, I will thank the members of the government because it would not be nearly so

entertaining without them. We think we have had a pretty good year, and I am sure the government thinks so too, because it has actually won all of the votes. However, we are looking to the future, and as every day goes by, members of the government indicate clearly that we do have a future.

The other members of the family I would like to acknowledge are the members of staff who support the Parliament. There are many people we have a serious obligation to — too many to mention individually, and I will not attempt to. But there are members of the Legislative Council staff who warrant special mention. They are, of course, the clerks who never smile and sit there, seriously and studiously, all the time. But I have to say that Wayne Tunnecliffe, Matthew Tricarico and Ray Wright provide an exceptional service to members of this house. I rely on them, individually and collectively, hugely. I know that my colleagues in the Liberal Party do so as well. The Parliament would be much poorer without the commitment to public service that these officers of the Parliament provide. In the same vein I would like to acknowledge the contribution of the papers office staff, with Rebecca and Melissa working there under Felicity Murphy's direction.

The attendants must get a special mention; in my view they are unsung heroes. They do things for us that they do not seek any thanks for; they just get on and do it quietly and professionally. Russel Bowman is always in the know. If I want to know something about the Labor Party, I just ask Russel; and I am sure if the Leader of the Government wants to know something about what we are up to, I am sure it works the other way round.

The attendants Michael, Greg, Peter, Philip, Jo, Neil and Carrie all do a terrific job. I am very grateful for their contribution to making the Parliament work when we are here, but I also observe that they do an enormous amount of work when we are not about. There are other functions going on in the Parliament. There are people coming through, school groups and other visitors to the Parliament. The attendants are here working even though we think we are carrying the world on our shoulders out in the electorates.

Somebody who rarely gets a mention but whom I see here early in the morning, and he keeps the place workable, is the cleaner. Quentin does an amazing job. He is here before most of us have got out of bed and he keeps the place in an order that is professional and admirable.

As the Leader of the Government has said, the contribution to the Parliament by the staff of Hansard and the Editor of Debates, Carolyn Williams, is

exceptional. Even though in my better moments I think I make some good contributions from time to time, they always look much better when I read them the next day. I will not admit to making some bad speeches — I am sure other members will admit to that — but there is no doubt that we get a great contribution to parliamentary life from Hansard.

The library is a critical element probably more so for the opposition than the government. The opposition needs a viable, effective library, and under the leadership of the librarian, Gail Dunston, the library staff contribute enormously to the capacity of the opposition to do research and make an argument in relation to the matters that are before the Parliament. Without that resource I do not think the opposition, whichever party it happens to be from time to time, would be able to function.

I acknowledge the work of the Joint Services Department at 157 Spring Street and the staff who work over there and around the Parliament looking after electorate offices, grounds and gardens, IT, particularly the help desk for me — I need all the help I can get with IT. The maintenance staff under Brian Bourke's leadership are fantastic. We always know when we have particular problems they have to be fixed now, not tomorrow or next week. You say, 'Brian, please come and get this sorted out', and he always does.

I would also like to acknowledge Bill Schober. Bill has been the bane of my life for all the years I have been here, because from about today Bill will be harassing me to change my stickers. He will harass me until about February before I actually get it sorted out. At least I maintain a relationship with Bill that is ongoing. I understand that this is the last year that Bill will be in that role, and I certainly wish him well. Notwithstanding he will not be around this time next year as he is retiring, I wish him well for his retirement when that occurs next year.

In my final comments on the staff of the Parliament I would like to mention the catering staff. Malcolm Sellar, who has been with us for a long while now, does a fantastic job as chef. The attendants in the dining room do a great job looking after us. They are under enormous pressure. We are all short tempered, we are all in a hurry and we all think our priority should come first, and they manage to somehow juggle it and they do a great job, particularly the stayers, Shirley and Jackie, who have been here longer than I have, and Sam more recently. There are many others, too many to mention. It is a challenge for Luke Jordan, the acting manager at the present time. He is adjusting to the fact that there is probably some change on foot. Some change has

occurred already, and I understand as a result of a review there will be more change. I welcome that because I think most members believe there is a need to get a bit more focus.

In conclusion, I acknowledge the huge contribution that has been afforded to me in my role as Leader of the Opposition by my deputy, the Honourable Andrea Coote, and whip, the Honourable Graeme Stoney. Anybody who has been in this role — and I am sure the President would acknowledge this — knows it is impossible to perform the role of the Leader of the Opposition unless you have dependable people who are able to be in the chamber and make sure the business goes on as it ought.

I also would like to acknowledge the support of my colleagues in the Liberal Party who have been exceptional in terms of their commitment to getting the job done. Moving from a position of government to opposition, and then from a position of majority control of the house to a minority position, is frankly difficult, and it would be foolish not to acknowledge it. It is very demanding emotionally because it is a change, and change can often be demanding. I have to say that in any circumstances I could not be prouder than I am of the group that is behind me here on the opposition benches.

I would also like to acknowledge the contribution of the National Party over the last year — Peter Hall in particular. Notwithstanding that the National Party made a very poor decision a couple of years ago about leaving its partnership with the Liberal Party, we have worked pretty effectively in the Parliament together. I would like to acknowledge that I think Peter Hall has been a great contributor to the effective working of the house and the cooperation between the opposition parties.

I should wind up by saying that I think the people who are very rarely mentioned and who sit quietly in the gallery all day and all night, no matter how long we are here — the protective services officers (PSOs) — do an enormous job for the Parliament. We are very fortunate to have not had a serious incident in the Parliament, certainly in my time.

There was an incident earlier this year, some months ago, out on the steps of Parliament, which I witnessed very late at night after Parliament had risen and most people had gone home, which involved the PSOs and subsequent police intervention. It was very unfortunate, and I will not describe the detail. The point is that the PSOs were on the scene. They were on the spot and took control of the situation, and they did a magnificent

job in that circumstance. I think we all feel more comfortable about the fact that we have people here watching our backs, as it were. I only wish that, from a political point of view, we had such good protection all the time!

Honourable members interjecting.

Hon. PHILIP DAVIS — In the spirit of Christmas I say that I think the PSOs do a fantastic job.

My final comment is to wish everybody in the house and all the staff a very merry Christmas.

Hon. P. R. HALL (Gippsland) — The Leader of the Government described 2003 as a big year. In my notes I described 2003 as an interesting year. It might have been big for the government, but it was interesting from this side of the house, I can assure you. We returned to this chamber in February under circumstances which were radically different from the circumstances when we left in the previous October. Much happened in those intervening months.

To use football parlance, many first-year players have had their first year playing here in this chamber; I think almost a third of the members now in the Legislative Council have just completed their first year. For those of us who remained, we all had new playing positions, because we swapped from different areas of the chamber to others. So there have been a lot of changes, and they have given all of us in this chamber a lot of challenges. I am not prepared this afternoon to risk the good spirit of Christmas and give you my personal comments on all of the changes that have taken place; I will keep it nice and clean —

Ms Hadden interjected.

Hon. P. R. HALL — No, I will not be tempted, Dianne — even for you.

Honourable members interjecting.

Hon. P. R. HALL — A very good friend, but no exceptions in this case.

It has been an interesting year, but it has been a long session, particularly for us in the Nationals, being a small team. So rather than reflecting on the year, I will go straight into it and thank a few of the people who have helped us in our business of conducting parliamentary sessions in this chamber.

There are some very good and loyal people who have assisted us — all of us — with the operation of the business here in Parliament House. At my own peril I

will proceed to list a few of those people — and I say at my peril because I am bound to leave some people out, as I did last year. If I do, I apologise in advance.

Some very good people I missed out last year are the first people I want to mention tonight. They are the people in the papers office. I hope they can hear me in the papers office. We thank Felicity, Rebecca, Melissa and Deborah sincerely for all of the work and good service they provide us. Particularly we thank the girls in there for counting all of the multipurpose taxi program petitions over the last week or so. The papers office staff provide us with an excellent service and we are grateful for that.

One thing I thought about as I listened to the Leader of the Government and the Leader of the Opposition reflect on the year was that they are giving first and second names. I do not know the second names of all the staff around this place. I suppose that is good in some ways that we are on a first-name basis: there is an informal, good, positive and friendly sort of relationship between the staff. I apologise for not knowing all the surnames of the people I am about to mention.

The dining room staff are always important to the Nationals. We are their best customers without doubt and there is no dispute about that. We are there every day and in some cases for three meals a day, like my colleague Mr Baxter. When Parliament is sitting he is there for breakfast, lunch and dinner. We thank Luke and all of his staff in the dining room, particularly people like Shirley and Jackie and more recently Curtis, who visits our table quite frequently with a silver tray. We thank all of the people in the dining room who provide us with a terrific service. We also thank Malcolm Sellar and all of his staff in the kitchen.

To the Legislative Council staff, and again at my peril I am going to mention the attendants first: people like Russel, Michael, Peter, Philip, Neil, Jo, Carrie, Quentin — who is also part of the staff and dons the maroon jacket at times — and Greg down at the back door, I hope I have got them all — I thank them sincerely and reiterate the comments by the Leader of the Opposition and the Leader of the Government that the Legislative Council staff provide us with excellent service in this chamber. They put up with some grumpy people at times, but they do it very well.

We thank the clerks — Wayne, Matthew, Ray, and Stephen — and in turn their staff, some of whom we see very rarely. We see Mary Martin quite frequently because as members of the National Party we are tenants on the second floor and Mary is a co-tenant on

that floor. We thank Wayne and all his team for the excellent work and guidance they provide us as members of this chamber.

Other speakers have already mentioned the Hansard staff who make us all look like orators of some distinction, which we invariably are not. The speeches look pretty good when you read them the next day — certainly a lot better than when they were said the night before! We thank Hansard for all of their work.

We thank the library staff who, as the Leader of the Opposition said, are a particularly valuable resource for those of us who are in opposition.

In terms of the colleagues within this chamber, we thank you, President, for all of your work. Your role has not always been an easy one, and the way you have performed your role throughout your first year has been commendable. We thank you and congratulate you on that.

I also want to mention the Deputy President, Ms Romanes. I have been a Deputy President and I know it is not easy being a Deputy President, particularly when committee stages run backwards and forwards. I think Ms Romanes has performed admirably as the Deputy President.

I also thank those members who have filled the position as Acting President. There has been a bit of talent. I was impressed that we had a couple of new members over from the back who did pretty well in the chair as well; they showed a lot of promise in that position.

I thank the Leader of the Government, John Lenders, and the Leader of the Opposition, Philip Davis, for the courtesy and cooperation they have extended to us as a party in this chamber. They have included and acknowledged us. Even though we are a minor party, we are a legitimately constituted third party of this Parliament. We appreciate the cooperation from both leaders in terms of the planning for the operation of this house.

I thank all members of the opposition and the government for their friendship and contribution towards debates throughout the year. Most of the debates have been pretty much of a good nature, and that is the way it should be. We should vigorously debate in this chamber, but we should still be able to go outside and remain courteous and friendly to each other, and that is the way it is. Damian Drum and I simply ask that a few members on the government side brush up on their billiard skills so they might give us a better game next year. I thank the backbenchers from both Liberal and Labor parties.

But my greatest thanks are reserved for the team that sits around me — excluding this fellow and this fellow, who are invaders here tonight — these three friends. We do not mind people wishing to join us formally, we will welcome them at any time. It is a challenge for us as a party, being a team of four now in the Legislative Council, but despite being small in numbers we make up for it with hard work and dedication towards our job. We are proud to say at the end of this sitting that there has not been one debate in this Parliament that the members of the Nationals have not participated in, and I think they have participated well. It has not been a flippant contribution; we always take our jobs seriously and I think we fight above our weight, so to speak.

The last group I wish to thank are the people who support the Nationals outside this chamber. We have only a very small staff here at Parliament House and it is largely utilised by the Legislative Assembly, but we get good support from people like Danny, Helen, Jan, and Karinda, until she left us recently, in providing research facilities outside the chamber, so we thank them. I have missed out some people, and others have mentioned some I have not mentioned, but to all of those who have contributed in some way in assisting us as members of Parliament I wish to extend my thanks to you for your help in the course of 2003.

Finally, to all members and Council staff, my best wishes for Christmas and I trust that you will, like us, use the break to catch up on some of that lost family time we have all incurred during the course of this year.

Hon. C. D. HIRSH (Silvan) — I beg the indulgence of the house. There was a tradition in the 1980s in this place for a poem, and last night Jenny Mikakos said, ‘Write a poem’, so it is her fault. I am going to read it:

What a year was 2003 —
The Liberals ahead no more will be.
Labor are now winning all the votes,
But wait! Aren't we all a bunch of goats?
We've fixed the upper house for sure,
We've cut our terms from eight to four!

A look at the outside world needs a mention,
Many issues demand our attention.
Our schools and our hospitals, trains, trams and buses,
We're part of government — they make the fusses.
They ask questions of Theo, all loaded with wind,
And each Wednesday it seems the government has sinned!

Further afield we'll take this short yarn:
George Bush made a brief visit to the Canberra barn,
He didn't stay long, and nor did Bob Brown,
After his interjection the hammer came down.
We've spent all this year in a war on terrorism,
Which the PM has joined with great enthusiasm.

Another task facing us by and by,
Is to stop the rich criminals riding high.
Henry Kaye has learnt the games,
From those such as Farrow, Bond and Skase — some names!
All of them should have been put in jail,
Their antics have made all the losers pale.

Back to our workplace just a bit more,
We've ended the year a bit tired and sore.
The adjournment debate is getting harder and harder,
It's so easy for us to be called ‘out of order’.
The President often pulls her weight,
Puts a stop to a speech that we think is great.

For Phil and Bill it's been pretty tense,
A tussle ending with both on the fence.
Unlike the Beazley and Latham play,
(With Simon out on a very sad day).
But I think Mark will win the election,
And John Howard at last will face rejection.

Thanks to the clerks, and Ray, and attendants all,
Without whom the Parliament would surely fall.
Hansard too we can never forget,
Our shocking grammar they carefully vet.
Thanks to our leaders Phil, Peter and John,
And big thanks to Gavin who makes it seem fun.

Thanks to the whips, hard workers three,
When I see Lidia running I'm so glad it's not me!
Thanks to the ministers for their daily stint,
And thanks to our President must be in print.
Thanks to D. Davis for wit and satire,
Although his remarks cause the government a great deal of ire!

And lastly, before we all scatter about,
Felicitations to all of us, Lib, Labor and Nat.
Hope everyone's holiday is all that they need,
Do take a break — you all should take heed.
It's been quite a year, and we've all learnt so much,
So let's get right out of here, don't fall in the rush!

The PRESIDENT — The Leader of the Opposition indicated that he had not made a Christmas felicitation speech before on that side of the house. I think I have made one in each position, as Leader of the Opposition, Leader of the Government and now for the first time as President.

Hon. Philip Davis — On the fence.

The PRESIDENT — Sitting on the fence, absolutely straight down the line, as a member from each party realised last night on the adjournment.

I would like to take this opportunity to thank the party leaders — John Lenders, Philip Davis and Peter Hall — for their assistance to me in my first year as President of this house; I appreciate it. I know the efforts they make to keep the Chair informed of what arrangements they had made outside of this place.

I would also like to take this opportunity to thank my deputy, Glenyys Romanes, for taking on that role. I know how difficult the committee stage can be from the other side of the fence, but from my point of view it gives me a bit of a break. She has always organised the temporary Chairs: Barry Bishop, Ron Bowden, Andrew Brideson, Helen Buckingham, Dianne Hadden, Geoff Hilton, Bob Smith and Chris Strong. I thank them for their assistance as temporary Chairs.

I would like to particularly thank Wayne Tunnecliffe, Matthew Tricarico, Ray Wright and Stephen Redenbach, who have given me great assistance and advice in the sometimes difficult rulings I have been called upon to make from time to time in the house. Wayne in particular has given me great advice. I thank Wayne and all the chamber staff.

I would also like to pass on Christmas felicitations and thanks to the staff of the papers office: Felicity Murphy and her officers. I know Felicity has been a bit short of staff since I seconded one of her staff, Deborah, to work in my office, but as usual the papers office has served the members fantastically. I know that you walk in there and you are looking for a bill or a particular document or a paper that is being taken note of and they have it at their fingertips and can grab it and hand it to you.

Russel Bowman is the head attendant here in the Legislative Council. As the Leader of the Opposition and the Leader of the Government indicated, Russel has the ability to get a job done and assist members. Russel and his team are usually here well before we get here and are always the last to leave. They ensure that the chamber is cleaned up and our offices are cleaned. Whatever assistance we require, we ring Russel and he organises it. Thank you to Russel, Michael, Greg, Carrie, Philip, Peter, Jo, Neil and Quentin. It is great to see a couple of women on the list of attendants.

Of course my thanks go to Carolyn Williams, the head of Hansard, and her team — who were very formal today, I noticed. As has been said, Hansard makes us sound a damn sight better than we actually are. I pass on my thanks to them.

I also thank Gail Dunston, Pat Gregory and the staff from the library. I know what it is like. I have been in opposition and I know the requirements imposed on the library. As chair of the Library Committee I know what demands are placed on the library staff by members from both sides, and they do a fantastic job. I pass on my best wishes to them.

In the catering area this year John Isherwood and Linda Bowman-Powell have left, but we now have Luke Jordon. A few weeks ago Luke had an experience he had not had for some time. At 12 o'clock one night I said he had to put on supper. He said, 'Well, what's that?'. I said that is usually the question asked by all members when they appear for supper. However, he was able to raid the fridges and get into some of the areas that had been locked and put on a supper for us.

The important thing that happened on that night, especially with so many new members in the chamber, is that people realised how many staff are needed to run this place. The house stops at the supper break, so we have Hansard, the engineers we are required to have on site, all the attendant staff, the people from the papers office and the library all appearing in the Strangers Corridor for supper. Some of the new members were astounded to see so many people. As many staff work around this place as there are members here. I would like to thank Luke for his ability to get our supper together and to get breakfast on in a very short space of time the next morning without any staff. I thank all the dining room staff, particularly chef Malcolm Sellar.

Something many members do not necessarily appreciate until they go for a walk in the gardens is the work of Paul Gallagher and his team. Those members who spend some time out on the balcony would have noticed what the garden staff have done in the gardens. They have taken away a lot of bushes and put in some new plants so there is a bit of colour for members to appreciate. They did that on their own initiative.

Also on their own initiative they installed the water tanks we have put in place here in Parliament House, which are sitting at 95 per cent capacity. They were at 95 per cent three days ago; after the storm the other night I am sure they are at 100 per cent capacity. Ten per cent of the water used by Parliament House will come from the tanks that Paul Gallagher and his team have installed, which is fantastic. I thank them for all the work they do to ensure that the parliamentary gardens are kept to a standard that we as members bring visitors in to see.

We all know that maintenance staff have to deal with a number of leaks in the place — and members can take that any way they like! There were a number of leaks as a result of the rain we had the other night. Brian Bourke and Manny Attard and their crew have to be congratulated because, as members will all appreciate, this is a heritage building: it is old and constantly requires maintenance. Manny and Brian and their crew do a fantastic job in keeping this Parliament House up to an acceptable standard.

I take this opportunity, as it is my first time in this role, to wish each and every member of the house a very safe and happy Christmas break. I hope you spend some time with your families — your children, brothers, sisters, uncles, aunts, mothers, fathers or whatever — clear your heads and get yourselves ready to come back for a full year next year. I thank each and every one of you for the courtesy you have shown me in my position as President. I wish you all the very best for the festive season.

Motion agreed to.

ADJOURNMENT

Mr LENDERS (Minister for Finance) — I move:

That the house do now adjourn.

Motion agreed to.

House adjourned 5.23 p.m.

QUESTIONS ON NOTICE

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

Tuesday, 2 December 2003

Innovation: Docklands film and television studios — consultants

- 788. THE HON. E. G. STONEY** — To ask the Minister for Small Business (for the Minister for Innovation):
 With reference to the film and television studios at Docklands:
- (a) What are the names of the consultants who undertook work in relation to the studios.
 - (b) What remuneration did the consultants receive.
 - (c) On what dates was the work performed and remuneration given.

ANSWER:

I am informed as follows:

The Department of Innovation, Industry and Regional Development engaged KPMG Corporate Finance (Aust) Pty Ltd.

The consultants were paid \$499,651.01 (including GST).

The consultants performed the work between 19 June 2001 and 9 September 2002.

State and regional development: Docklands film and television studios — consultants

- 790. THE HON. E. G. STONEY** — To ask the Minister for Finance (for the Minister for State and Regional Development): With reference to the film and television studios at Docklands:
- (a) What are the names of the consultants who undertook work in relation to the studios.
 - (b) What remuneration did the consultants receive.
 - (c) On what dates was the work performed and remuneration given

ANSWER:

I am informed as follows:

The Department of Innovation, Industry and Regional Development engaged KPMG Corporate Finance (Aust) Pty Ltd.

The consultants were paid \$499,651.01 (including GST).

The consultants performed the work between 19 June 2001 and 9 September 2002.

Racing: ministerial air travel

- 931. THE HON. ANDREW BRIDSON** — To ask the Minister for Sport and Recreation (for the Minister for Racing):
- (a) What was the total cost of international air travel incurred by the Minister's office from 1 March 2003 to 30 September 2003, including trips taken by the Minister, ministerial staff and advisors and the relevant Parliamentary Secretary.
 - (b) What was the total cost of interstate air travel incurred by the Minister's office from 26 March 2003 to 30 September 2003, including trips taken by the Minister, ministerial staff and advisors and the relevant Parliamentary Secretary.
 - (c) What was the total cost of intrastate air travel incurred by the Minister's office from 26 March 2003 to 30 September 2003, including trips taken by the Minister, ministerial staff and advisors and the relevant Parliamentary Secretary.

ANSWER:

I am informed that:

- (a) No international air travel was incurred by the Minister for Racing's Office from 1 March 2003 to 30 September 2003, including trips taken by myself, ministerial staff, advisors or Parliamentary Secretary.
- (b) and (c)
The total cost of domestic air travel incurred by the Minister for Racing's Office for trips taken between 26 March 2003 and 30 September 2003 by myself and any accompanying ministerial staff, advisor or Parliamentary Secretary is \$1557.88.

Agriculture: bushfires — government assistance

- 946. THE HON. PHILIP DAVIS** — To ask the Minister for Energy Industries (for the Minister for Agriculture): How many landholders have received fencing assistance for replacement dog fencing from the Government's bushfire recovery assistance in East Gippsland.

ANSWER:

I am informed that:

To date 120 property holders have accessed the fencing assistance package arising from the 2002/2003 fires in North-East Victoria and Gippsland. The package has two components, the clearing of boundary fence lines and a subsidy for wild dog fencing. To date over \$930,000 has been expended on these activities.

Agriculture: bushfires — government assistance

- 947. THE HON. PHILIP DAVIS** — To ask the Minister for Energy Industries (for the Minister for Agriculture): What is the total amount of assistance that has been paid to landholders in East Gippsland for fencing assistance for replacement dog fencing from the bushfire recovery assistance.

ANSWER:

I am informed that:

To date 120 property holders have accessed the fencing assistance package arising from the 2002/2003 fires in North-East Victoria and Gippsland. The package has two components, the clearing of boundary fence lines and a subsidy for wild dog fencing. To date \$930,000 has been expended on these activities.

Agriculture: bushfires — government assistance

948. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): How many landholders have received fencing assistance for replacement dog fencing from the Government's bushfire recovery assistance in North East Victoria.

ANSWER:

I am informed that:

To date 120 property holders have accessed the fencing assistance package arising from the 2002/2003 fires in North-East Victoria and Gippsland. The package has two components, the clearing of boundary fence lines and a subsidy for wild dog fencing. To date \$930,000 has been expended on these activities.

Agriculture: bushfires — government assistance

949. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Government allocating \$1.2 million to assist farmers with removal of debris around fence lines adjoining crown land following the January bushfires:

- (a) How many farmers received assistance under this scheme in East Gippsland.
- (b) How many farmers received assistance under this scheme in North East Victoria.
- (c) How many farmers in total received assistance.
- (d) What was the total money expended under this assistance program.

ANSWER:

I am informed that:

To date 120 property holders have accessed the fencing assistance package arising from the 2002/2003 fires in North-East Victoria and Gippsland. The package has two components, the clearing of boundary fence lines and a subsidy for wild dog fencing. To date over \$930,000 has been expended on these activities.

Agriculture: Fresh Chain Ltd

983. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): What income did Fresh Chain Ltd generate since its commencement of trading on 9 May 2002 until 30 June 2002.

ANSWER:

I am informed that:

The total income earned by Fresh Chain Ltd – concept of the former Kennett Government - during the period 9 May 2002 to 30 June 2002 was \$250.00.

Agriculture: bushfires — government assistance

987. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the \$600,000 allocated by the Government for temporary stock containment following the January bushfires, how many farmers received grants of up to \$2,000 that was were made available for emergency fencing and water in East Gippsland.

ANSWER:

I am informed that:

\$600,000 was allocated to assist with stock containment and catchment management issues on private farmland.
\$395,000 was expended.

Agriculture: bushfires — government assistance

988. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the \$600,000 allocated by the Government for temporary stock containment following the January bushfires, how many farmers received grants of up to \$2,000 that was made available for emergency fencing and water in North East Victoria.

ANSWER:

I am informed that:

\$600,000 was allocated to assist with stock containment and catchment management issues on private farmland.
\$395,000 was expended.

Agriculture: bushfires — government assistance

989. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the \$600,000 allocated by the Government for temporary stock containment following the January bushfires, how many farmers in total received grants of up to \$2,000 that was made available for emergency fencing and water.

ANSWER:

I am informed that:

\$600,000 was allocated to assist with stock containment and catchment management issues on private farmland.
\$395,000 was expended.

Agriculture: bushfires — government assistance

990. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the \$600,000 allocated by the Government for temporary stock containment following the January bushfires, what is the total amount of money paid out of up to \$2,000 that was made available for emergency fencing and water

ANSWER:

I am informed that:

\$600,000 was allocated to assist with stock containment and catchment management issues on private farmland.
\$395,000 was expended.

Energy industries: mineral sands industry — rail standardisation project

995. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries:

- (a) What benefits will the rail standardisation project will deliver to the mineral sands industry.

- (b) By what factor will transport costs be reduced to the industry by having access to rail transport.

ANSWER:

I am informed that:

The question raised does not fall within the responsibility of my portfolio as Minister for Energy Industries and the question should be redirected to my portfolio as Minister for Resources.

Agriculture: drought — government assistance

- 1001. THE HON. PHILIP DAVIS** — To ask the Minister for Energy Industries (for the Minister for Agriculture): How many rural financial counsellors were funded by the Government to assist drought affected communities at 30 June 2003.

ANSWER:

I am informed that:

A total of 23 rural financial counsellors were employed across Victoria at 30 June 2003 – a substantial increase since the election of the Bracks Government.

Agriculture: drought — government assistance

- 1002. THE HON. PHILIP DAVIS** — To ask the Minister for Energy Industries (for the Minister for Agriculture): How many rural financial counsellors are expected to be employed as at 30 December 2003.

ANSWER:

I am informed that:

By 30 December 2003 the Government expects that twenty-six rural counsellors will be employed across Victoria – a substantial increase in members since the election of the Bracks Government.

Water: Mitchell River — water supply protection area

- 1011. THE HON. PHILIP DAVIS** — To ask the Minister for Local Government (for the Minister for Water):

- (a) Has the Minister made a determination on the declaration of a water supply protection area for the Mitchell River; if so — (i) when was that determination made; and (ii) when will the details of that determination be made publicly available.
- (b) What was the date that the Minister was to have made a determination on the declaration of a water supply protection area for the Mitchell River and when was that determination made.

ANSWER:

I am informed that:

- (a) I have made a determination on the declaration of a water supply protection area for the Mitchell River.

I have decided not to declare a water supply protection area at this time, to enable further investigations to be carried out on the environmental water requirements of the river.

The determination was made on 20 October 2003.

Southern Rural Water was directed on 20 October 2003 to arrange for the publication of the decision in a newspaper circulating in the area concerned as required under section 27(10) of the *Water Act 1989*.

- (b) The decision not to declare the water supply protection area was made on 20 October 2003.

The recommendation from the Department of Sustainability and Environment (the Department) was not to proceed with the declaration at this time as it was considered that further environmental flow studies were necessary to inform the management plan process.

Agriculture: Primary Industries — staff

1013. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): What is the breakdown of staff numbers at the various Department of Primary Industries offices and institutes as at 30 June 2000, 30 June 2001, 30 June 2002 and 30 June 2003, respectively.

ANSWER:

I am informed that:

The Department of Primary Industries (DPI) did not exist as at 30 June 2000, 30 June 2001 or 30 June 2002. Staff numbers at DPI locations as at 30 June 2003 are in the table attached.

Staff numbers for DPI's predecessor, Department of Natural Resources and Environment (DNRE), are published in DNRE's Annual Reports for 2000, 2001 and 2002.

Suburb	Regional Offices	Metropolitan (not Institute)	Institutes	Total
Alexandra	9			9
Altona North		6		6
Ararat	11			11
Attwood		22	143	165
Bacchus Marsh	15			15
Bairnsdale	26			26
Ballarat	45			45
Beechworth	1			1
Benalla	39			39
Bendigo	91		37	128
Bendoc	1			1
Birchip	3			3
Box Hill		69		69
Broadford	6			6
Bundoora			55	55
Camperdown	7			7
Casterton	1			1
Castlemaine	1			1
Charlton	1			1
Cobram	13			13
Colac	30			30

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Suburb	Regional Offices	Metropolitan (not Institute)	Institutes	Total
Corryong	5			5
Cowes	8			8
Creswick	4			4
Dartmoor	1			1
East Melbourne		346		346
Echuca	24			24
Edenhope	1			1
Ellinbank	27		48	75
Euroa	1			1
Footscray		11		11
Frankston		10	48	58
Geelong	42			42
Hamilton	25		73	98
Healesville			13	13
Heathcote	1			1
Heidelberg			2	2
Heyfield	1			1
Heywood	1			1
Hopetoun	2			2
Horsham	29		124	153
Inglewood	1			1
Kerang	31			31
Knoxfield		23	140	163
Kyabram	7		29	36
Kyneton	2			2
Lakes Entrance	4			4
Leongatha	21			21
Maffra	20			20
Mallacoota	6			6
Mansfield	3			3
Maryborough	6			6
Mildura	30		54	84
Mirboo North	2			2
Mornington	10			10
Myrtleford	7		13	20
Nathalia	1			1
Nowa Nowa	1			1
Orbost	3			3
Ouyen	2			2

Suburb	Regional Offices	Metropolitan (not Institute)	Institutes	Total
Parkville		3		3
Piangil	1			1
Portland	7			7
Queenscliff	4		88	92
Rainbow	1			1
Rutherglen	12		68	80
Sea Lake	1			1
Sebastopol	1			1
Seymour	12			12
Snobs Creek			20	20
Speed	1			1
St Arnaud	8			8
Stawell	4			4
Swan Hill	22			22
Swifts Creek	6			6
Tallangatta	5			5
Tatura	83		84	167
Traralgon	14			14
Underbool	1			1
Walpeup	1		23	24
Wangaratta	11			11
Warrnambool	35			35
Werribee		4	115	119
Whitfield	2			2
Wodonga	26			26
Wonthaggi	1			1
Woori Yallock	2			2
Yarram	8			8
Total	898	494	1177	2569

Agriculture: Primary Industries — establishment cost

1038. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): How much did the creation of the new Department of Primary Industries cost.

ANSWER:

I am informed that:

The creation of the Department of Primary Industries was undertaken at no additional cost to Government. The budget of the former Department of Natural Resources and Environment was split between the Department of Sustainability and Environment and the Department of Primary Industries and no supplementary funding was provided for establishment costs or ongoing requirements.

In terms of actual costs incurred, the Department does not account for its expenses in such a way as to allow it to separately identify the total cost of the creation of the Department.

Agriculture: Primary Industries — establishment cost

1041. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): How much did the clocks distributed to staff to celebrate the new Department of Primary Industries cost.

ANSWER:

I am informed that:

DPI was created following a Machinery of Government decision in December 2002.

With the start of the new financial year, DPI undertook a series of "local" launches to focus staff around the new "DPI" and its corporate objectives.

Staff members received a package from the Secretary that included a small clock, personalised letter welcoming them to the new Department, and a copy of the corporate plan.

The clock was a strong cultural signal and reinforcement of the Department's vision and cost \$3.18 each.

Many staff have expressed their appreciation for the recognition they have received especially given that tasks such as the fire season, fire recovery and drought management have demanded sustained additional effort for many months now.

Agriculture: Primary Industries — establishment cost

1042. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): How much did the balloons and cameras distributed to the Department of Primary Industries (DPI) locations to celebrate the creation of the new DPI cost.

ANSWER:

I am informed that:

DPI was created following a Machinery of Government decision in December 2002.

With the start of the new financial year, DPI undertook a series of "local" launches to focus staff around the new "DPI" and its corporate objectives.

These launches were held locally in all 155 sites across the State.

The creation of DPI has seen a progressive increase in the number and range of employees delivering direct services to regional and rural Victorians – a reflection of the Bracks government commitment to govern for all Victorians.

In recognition of this effort the corporate plan launch on the material you referred to cost \$2,045.40 for the 155 locations of DPI sites across all of Victoria.

Agriculture: budget savings

1047. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the 2003-04 budget identifying general efficiency in administration savings of \$1.2 million a year, how will this be achieved and what staff and programs will be cut.

ANSWER:

I am informed that:

The savings in administration will be found by utilising more cost efficient forms of recruitment advertising and by reducing the amount of advertising in general across the Department. In addition, changes will be made to administration structures to streamline processes to achieve efficiencies in corporate and business support services. These changes are being made as part of the overall establishment of the Department and involve changes to operating procedures and structures that existed in the former Department of Natural Resources and Environment.

There will be no direct impact or staff losses in the key service delivery output programs of the Department as a result of achieving the savings.

Agriculture: veterinary officers

1059. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the 2002 election policy where the Government promised to commit \$2 million over 4 years to employ animal and plant officers, training for existing vets and a campaign to attract additional vets to rural Victoria:

- (a) How many vets have received training under this program.
- (b) What is the form of training vets have received under this program.
- (c) How many hours of training per vet has been delivered.
- (d) What is the cost of the vet training component of this program.
- (e) Who is delivering the training.

ANSWER:

I am informed that:

The Bracks Governments commitment to rural and regional Victorians is a major part of the Governments activities. The Government is implementing all its policies including in the area of animal and plant health. This is part of the Governments record contribution to biosecurity and science underpinning rural productivity and growth.

- (a) In 2003, 193 private veterinary practitioners have received training provided by the Department of Primary Industries (DPI).
- (b) Specific formal training sessions have been delivered for a range of disease control programs, including emergency animal disease recognition and response, and joint Government/Industry endemic disease control programs such as Johnes disease control in cattle and sheep.
- (c) In 2003, private veterinarians have committed 175.5 days of their time to this training.
- (d) The direct cost to the Department of Primary Industries in providing training for private veterinarians has been over \$61,000 in 2003. This does not include time spent by DPI veterinarians in preparing for, delivering and following up the training programs.
- (e) The training has largely been delivered by DPI expert veterinarians. External specialists have been involved in some training.

Agriculture: veterinary officers

- 1060. THE HON. PHILIP DAVIS** — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the 2002 election policy where the Government promised to commit \$2 million over 4 years to employ animal and plant officers, training for existing vets and a campaign to attract additional vets to rural Victoria:
- (a) What campaigns have been run to attract Vets to rural Victoria.
 - (b) How many advertisements have been lodged.
 - (c) In what publications, journals and media outlets have those advertisements been placed.
 - (d) What is the cost of the advertisements.
 - (e) What is the cost of the campaign to attract additional vets to rural Victoria.
 - (f) How many new vets have been employed.
 - (g) How many inquiries from prospective vets has the Government received as a result of the campaign.

ANSWER:

I am informed that:

In May 2003, the Bracks Government announced additional funding of \$24.1 million over an initial 4 years from July 2003, for biosecurity programs to defend farms against diseases such as foot & mouth disease, mad cow disease, Newcastle disease and anthrax. Australia's relative freedom from many pests and diseases has underpinned the outstanding performance of our primary industries in securing export markets. Enhancing biosecurity will provide further reassurance for local and overseas buyers, and productivity benefits to producers.

In part, the additional biosecurity funding will allow the Department of Primary Industries (DPI) to appoint more veterinarians in rural Victoria and importantly, to implement enhanced disease surveillance programs that will involve rural private veterinary practitioners and the State's veterinary pathology services. This approach will result in a more fully integrated animal health infrastructure for Victoria and allow the early recognition of and response to animal disease emergencies that can affect trade and human health.

- (a) In 2003, the Department of Primary Industries has advertised for 5 District Veterinary Officers and 5 Principal Veterinary Officers (PVO).
- (b) Five advertisements have been lodged for these positions (one PVO position advertised twice).
- (c) Advertisements have been placed in the Age, the Australian, the Australian Veterinary Journal, Red Sky web site and internally within DPI. The PVO Aquatic Animal Health position was also widely distributed via aquaculture industry email lists and newsletters.
- (d) The cost of the advertisements is approximately \$40,000.
- (e) The advertisements outlined above have been the major cost of the campaign, plus airfares for interstate interviewees (Darwin and Perth).
- (f) In 2003, DPI has appointed 6 District Veterinary Officers and 5 Principal Veterinary Officers.
- (g) While the level of inquiries has been limited, the quality of applicants appointed to the positions has been very high.

Health: Thomas Embling Forensic Psychiatric Hospital — prisoner transfer

1065. THE HON. R. DALLA-RIVA — To ask the Minister for Aged Care (for the Minister for Health): In relation to prisoners transferred to Thomas Embling Forensic Psychiatric Hospital as patients assessed and treated, then transferred back to prison as prisoners:

- (a) What is the process the Government takes in reviewing the prisoners' suitability to enter prison life.
- (b) How is this process undertaken.
- (c) When is this process undertaken.

ANSWER:

I am informed that:

- a) The process of discharge from hospital to prison involves detailed clinical review including input by a multidisciplinary team of nursing staff, psychologists and social workers overseen by a consultant psychiatrist. This assessment includes determination of the person's current mental health needs, their ability to comply with treatment and the transfer of necessary information to enable ongoing assessment and treatment to help staff in the prison.
- b) In addition to the clinical assessment and information transfer process, the administrative process of discharge entails notification by the authorised psychiatrist at the Thomas Embling Hospital to the Chief Psychiatrist that the person is to be discharged and of the reasons for that discharge. The Chief Psychiatrist notifies the Commissioner, Corrections Victoria who organises transfer of the person to the prison and transfer for the responsibility of custody from the authorised psychiatrist to the correctional staff.
- c) The process of discharge planning may occur in the days or even weeks prior to discharge depending on the complexity of the case and the requirement for communication and transfer of information to prison health staff. The patient is involved in discussions regarding return to prison and is notified of the date and time of expected transfer.

Aged care: Shannon's Way Pty Ltd

1068. THE HON. E. G. STONEY — To ask the Minister for Aged Care: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

Environment: Shannon's Way Pty Ltd

1080. THE HON. E. G. STONEY— To ask the Minister for Local Government (for the Minister for Environment): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body they are interested in.

Financial service industry: Shannon's Way Pty Ltd

1082. THE HON. E. G. STONEY— To ask the Minister for Small Business (for the Minister for Financial Services Industry): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 5 December 2002 to 29 October 2003, no payments were made by any agency or statutory body under my administration to the firm Shannon's Way Pty Ltd.

Health: Shannon's Way Pty Ltd

1084. THE HON. E. G. STONEY— To ask the Minister for Aged Care (for the Minister for Health): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

Housing: Shannon's Way Pty Ltd

1085. THE HON. E. G. STONEY— To ask the Minister for Housing: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

Innovation: Shannon's Way Pty Ltd

1088. THE HON. E. G. STONEY— To ask the Minister for Small Business (for the Minister for Innovation): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body he is interested in.

Manufacturing and export: Shannon's Way Pty Ltd

1091. THE HON. E. G. STONEY— To ask the Minister for Small Business (for the Minister for Manufacturing and Export): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 5 December 2002 to 29 October 2003, no payments were made by any agency or statutory body under my administration to the firm Shannon's Way Pty Ltd.

Racing: Shannon's Way Pty Ltd

1096. THE HON. E. G. STONEY— To ask the Minister for Sport and Recreation (for the Minister for Racing): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am advised that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body they are interested in.

State and regional development: Shannon's Way Pty Ltd

1100. THE HON. E. G. STONEY— To ask the Minister for Finance (for the Minister for State and Regional Development): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body he is interested in.

Tourism: Shannon's Way Pty Ltd

1101. THE HON. E. G. STONEY— To ask the Minister for Small Business (for the Minister for Tourism): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body he is interested in.

Water: Shannon's Way Pty Ltd

1105. THE HON. E. G. STONEY— To ask the Minister for Local Government (for the Minister for Water): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body they are interested in.

Aged care: Shannon's Way Pty Ltd

1109. THE HON. E. G. STONEY— To ask the Minister for Aged Care: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

The Department of Human Services has made four (4) payments to the firm Shannon's Way Pty Ltd for the period 27 March 2003 to 29 October 2003. Details are as follows:

Date payment was made	Details of projects	\$ value of payment
15 April 2003	Problem Gambling - Communication strategy	\$ 62,607.60
13 June 2003	Problem Gambling - Communication strategy	\$ 2,299.00

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18 September 2003	Development & Implementation of Vic Alcohol Strategy - Stage 1	\$ 24,167.00
18 September 2003	Development & Implementation of Vic Alcohol Strategy - Stage 1	\$150,000.40

No payments were made by my Private Office to the firm Shannon's Way Pty Ltd for the period 27 March to 29 October 2003.

Community services: Shannon's Way Pty Ltd

1113. THE HON. E. G. STONEY— To ask the Minister for Aged Care (for the Minister for Community Services): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

The Department of Human Services has made four (4) payments to the firm Shannon's Way Pty Ltd for the period 27 March 2003 to 29 October 2003. Details are as follows:

Date payment was made	Details of project	\$ value of payment
15 April 2003	Problem Gambling - Communication strategy	\$ 62,607.60
13 June 2003	Problem Gambling - Communication strategy	\$ 2,299.00
18 September 2003	Development & Implementation of Vic Alcohol Strategy - Stage 1	\$ 24,167.00
18 September 2003	Development & Implementation of Vic Alcohol Strategy - Stage 1	\$150,000.40

No payments were made by my Private Office to the firm Shannon's Way Pty Ltd for the period 27 March to 29 October 2003.

Consumer affairs: Shannon's Way Pty Ltd

1114. THE HON. E. G. STONEY— To ask the Minister for Consumer Affairs: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

No payments have been made by the Department of Justice to the firm Shannon's Way Pty Ltd.

No payments have been made by my Private Office to the firm Shannon's Way Pty Ltd.

Financial service industry: Shannon's Way Pty Ltd

1123. THE HON. E. G. STONEY— To ask the Minister for Small Business (for the Minister for Financial Services Industry): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 27 March 2003 to 29 October 2003, no payments were made by the Department of Innovation, Industry and Regional Development or my Private Office to the firm Shannon's Way Pty Ltd.

Gaming: Shannon's Way Pty Ltd

1124. THE HON. E. G. STONEY— To ask the Minister for Sport and Recreation (for the Minister for Gaming): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am advised that:

No payments have been made by the Department of Justice to the firm Shannon's Way Pty Ltd.

No payments have been made by my Private Office to the firm Shannon's Way Pty Ltd.

Health: Shannon's Way Pty Ltd

1125. THE HON. E. G. STONEY— To ask the Minister for Aged Care (for the Minister for Health): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.

- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

The Department of Human Services has made four (4) payments to the firm Shannon's Way Pty Ltd for the period 27 March 2003 to 29 October 2003. Details are as follows:

Date payment was made	Details of projects	\$ value of payment
15 April 2003	Problem Gambling - Communication strategy	\$ 62,607.60
13 June 2003	Problem Gambling - Communication strategy	\$ 2,299.00
18 September 2003	Development & Implementation of Vic Alcohol Strategy - Stage 1	\$ 24,167.00
18 September 2003	Development & Implementation of Vic Alcohol Strategy - Stage 1	\$150,000.40

No payments were made by my Private Office to the firm Shannon's Way Pty Ltd for the period 27 March to 29 October 2003.

Housing: Shannon's Way Pty Ltd

1126. THE HON. E. G. STONEY— To ask the Minister for Housing: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

The Department of Human Services has made four (4) payments to the firm Shannon's Way Pty Ltd for the period 27 March 2003 to 29 October 2003. Details are as follows:

Date payment was made	Details of projects	\$ value of payment
15 April 2003	Problem Gambling - Communication strategy	\$ 62,607.60
13 June 2003	Problem Gambling - Communication strategy	\$ 2,299.00
18 September 2003	Development & Implementation of Vic Alcohol Strategy - Stage 1	\$ 24,167.00
18 September 2003	Development & Implementation of Vic Alcohol Strategy - Stage 1	\$150,000.40

No payments were made by my Private Office to the firm Shannon's Way Pty Ltd for the period 27 March to 29 October 2003.

Innovation: Shannon's Way Pty Ltd

1129. THE HON. E. G. STONEY— To ask the Minister for Small Business (for the Minister for Innovation): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 27 March 2003 to 29 October 2003, no payments were made by the Department of Innovation, Industry and Regional Development or my Private Office to the firm Shannon's Way Pty Ltd.

Manufacturing and export: Shannon's Way Pty Ltd

1132. THE HON. E. G. STONEY— To ask the Minister for Small Business (for the Minister for Manufacturing and Export): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 27 March 2003 to 29 October 2003, no payments were made by the Department of Innovation, Industry and Regional Development or my Private Office to the firm Shannon's Way Pty Ltd.

Racing: Shannon's Way Pty Ltd

1137. THE HON. E. G. STONEY— To ask the Minister for Sport and Recreation (for the Minister for Racing): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am advised that :

No payments have been made by the Department of Justice to the firm Shannon's Way Pty Ltd.

No payments have been made by my Private Office to the firm Shannon's Way Pty Ltd.

State and regional development: Shannon's Way Pty Ltd

1141. THE HON. E. G. STONEY— To ask the Minister for Finance (for the Minister for State and Regional Development): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 27 March 2003 to 29 October 2003, no payments were made by the Department of Innovation, Industry and Regional Development or my Private Office to the firm Shannon's Way Pty Ltd.

Tourism: Shannon's Way Pty Ltd

1142. THE HON. E. G. STONEY— To ask the Minister for Small Business (for the Minister for Tourism): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 27 March 2003 to 29 October 2003, no payments were made by the Department of Innovation, Industry and Regional Development or my Private Office to the firm Shannon's Way Pty Ltd.

Community services: non-government organisations — community care programs

1155. THE HON. W. A. LOVELL — To ask the Minister for Community Services: Which Community Care programs have been surrendered by Non-Government Organisations to the Department of Human Services, and on what date was each program surrendered.

ANSWER:

I am informed that:

The Department of Human Services has ongoing discussions with Non-Government Organisations regarding the provision of services in the Community Care area.

In 2003 Anglicare Victoria gave back four Child Protection and Placement Residential Units on 31 August 2003 in the Northern Metropolitan Region, which are now being run by the Department of Human Services.

Tourism: Great Alpine Road campaign

1194. THE HON. ANDREA COOTE — To ask the Minister for Small Business (for the Minister for Tourism): How will the \$640,000 Great Alpine Road Campaign be administered.

ANSWER:

I am informed as follows:

The Great Alpine Road campaign is part of the bushfire recovery strategy and, as such, is administered by Tourism Victoria in conjunction with the Regional Bushfire Recovery Coordination Committee.

Tourism: Great Alpine Road campaign

1195. THE HON. ANDREA COOTE — To ask the Minister for Small Business (for the Minister for Tourism): What percentage of local staff will be employed in the \$640,000 Great Alpine Road Campaign.

ANSWER:

I am informed as follows:

The campaign was developed in conjunction with the 15 members of the Regional Bushfire Recovery Coordination Committee. The committee comprises representatives from the bushfire-affected regions, including the East Gippsland and Legends region and the Wine & High Country region.

Tourism: Great Alpine Road campaign

1196. THE HON. ANDREA COOTE — To ask the Minister for Small Business (for the Minister for Tourism): Will Omeo be included as part of the Great Alpine Road Campaign or is it locked in to being part of the Great Lakes District.

ANSWER:

I am informed as follows:

Omeo is included as part of the Great Alpine Road campaign.

Tourism: Great Alpine Road campaign

1197. THE HON. ANDREA COOTE — To ask the Minister for Small Business (for the Minister for Tourism): How much of the \$640,000 for the Great Alpine Road Campaign will be used in the Jigsaw brochure.

ANSWER:

I am informed as follows:

None of the \$640,000 allocation was used in the Jigsaw Brochure.

Tourism: Great Alpine Road campaign

1198. THE HON. ANDREA COOTE — To ask the Minister for Small Business (for the Minister for Tourism): What percentage of staff from Tourism Victoria's head office will be involved in the Great Alpine Road Campaign.

ANSWER:

I am informed as follows:

Approximately 12 staff from Tourism Victoria's head office have worked on various aspects of the campaign during its development.

Aged care: proposed Mornington hospital

1199. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: In relation to the Government's election promise to build an aged care facility to be named the "Mornington Hospital":

- (a) Has the Government started planning the Hospital.
- (b) What are the details of the plans for the Hospital.
- (c) What will be the configuration of high, low and dementia specific beds.
- (d) What is the total number of aged care beds that will be provided at the Hospital.
- (e) What other services will be offered at the Hospital.

ANSWER:

The Government's commitment is to build a new "rehabilitation and aged care centre at Mornington" with the aged care facilities to comprise geriatric evaluation and management beds. I am not aware of any plans for naming the proposed new facilities at present.

I am informed that:

- (a) The Department of Human Services and Peninsula Health are currently working together on a review and update of service planning for the provision of contemporary sub-acute, residential aged care and aged persons mental health residential care services across Peninsula Health. This service planning will include planning the need for services at Mornington. When completed, the service planning will inform the capital works planning process for Mornington.
- (b) Plans for the Mornington site will be determined following the completion of the service planning process.
- (c) Plans for the Mornington site will be determined following the completion of the service planning process.
- (d) Plans for the Mornington site will be determined following the completion of the service planning process.
- (e) Services at the Mornington site will include specialist aged care (geriatric evaluation and management) and rehabilitation services. Further details will be confirmed following the completion of the service planning process.

Aged care: proposed Mornington hospital

1200. THE HON. ANDREA COOTE — To ask the Minister for Aged Care:

- (a) On what date is it expected that construction of the Mornington Hospital will begin.
- (b) When is the Hospital expected to open to the public.

ANSWER:

The Government's commitment is to build a new "rehabilitation and aged care centre at Mornington" with the aged care facilities to comprise geriatric evaluation and management beds. I am not aware of any plans for naming the proposed new facilities at present.

I am informed that:

- (a) The Department of Human Services and Peninsula Health are currently working together on a review and update of service planning for the provision of contemporary sub-acute, residential aged care and aged persons mental health residential care services across Peninsula Health. This service planning will include planning the need for services at Mornington.

When completed, the service planning will inform the capital works planning process for Mornington. A construction schedule for the Mornington site has therefore not been determined at this stage.

- (b) A construction and opening schedule for the Mornington site has not been determined at this stage.

QUESTIONS ON NOTICE

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

Wednesday, 3 December 2003

Transport: ministerial air travel

- 927. THE HON. ANDREW BRIDSON** — To ask the Minister for Local Government (for the Minister for Transport):
- (a) What was the total cost of international air travel incurred by the Minister's office from 1 March 2003 to 30 September 2003, including trips taken by the Minister, ministerial staff and advisors and the relevant Parliamentary Secretary.
 - (b) What was the total cost of interstate air travel incurred by the Minister's office from 26 March 2003 to 30 September 2003, including trips taken by the Minister, ministerial staff and advisors and the relevant Parliamentary Secretary.
 - (c) What was the total cost of intrastate air travel incurred by the Minister's office from 26 March 2003 to 30 September 2003, including trips taken by the Minister, ministerial staff and advisors and the relevant Parliamentary Secretary.

ANSWER:

- (a) The total cost of international air travel incurred by my office for trips taken between 1 March 2003 and 30 September 2003 by myself and any accompanying ministerial staff, advisor or Parliamentary Secretary is nil.
- (b) and (c)
The total cost of domestic air travel incurred by my office for trips taken between 26 March 2003 and 30 September 2003 by myself and any accompanying ministerial staff, advisor or Parliamentary Secretary is \$6,684.93

Community services: Shannon's Way Pty Ltd

- 1072. THE HON. E. G. STONEY**— To ask the Minister for Aged Care (for the Minister for Community Services): In relation to Shannon's Way Pty Ltd:
- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
 - (b) On what dates were the payments made.
 - (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

Gaming: Shannon's Way Pty Ltd

1083. THE HON. E. G. STONEY— To ask the Minister for Sport and Recreation (for the Minister for Gaming): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am advised that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body they are interested in.

Major projects: Shannon's Way Pty Ltd

1090. THE HON. E. G. STONEY— To ask the Minister for Local Government (for the Minister for Major Projects): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am advised that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body they are interested in.

Transport: Shannon's Way Pty Ltd

1102. THE HON. E. G. STONEY— To ask the Minister for Local Government (for the Minister for Transport): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am advised that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body they are interested in.

Major projects: Shannon's Way Pty Ltd

1131. THE HON. E. G. STONEY— To ask the Minister for Local Government (for the Minister for Major Projects): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that as at the date the question was raised:

Department:

No payments have been made by the Department of Infrastructure to the firm Shannon's Way Pty Ltd.

Private Office:

No payments were made by my Private Office to the firm Shannon's Way Pty Ltd.

Transport: Shannon's Way Pty Ltd

1143. THE HON. E. G. STONEY— To ask the Minister for Local Government (for the Minister for Transport): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed that as at the date the question was raised:

Department:

No payments have been made by the Department of Infrastructure to the firms Shannon's Way Pty. Ltd.

Private Office:

No payments were made by my Private Office to the firm Shannon's Way Pty Ltd.

QUESTIONS ON NOTICE

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Thursday, 4 December 2003

Premier: parliamentary secretaries — appointment

- 173. THE HON. ANDREW BRIDESON** — To ask the Minister for Finance (for the Honourable the Premier): In relation to appointed parliamentary secretaries:
- (a) What is the location of each parliamentary secretary's office.
 - (b) What are the costs incurred to date to establish these offices including removal costs, furniture and fitting purchases, telecommunication equipment, computer network costs, refurbishment and architectural renovations.
 - (c) What will be the total annual lease costs incurred by the Government for every parliamentary secretary's office.
 - (d) What staff entitlements are allocated to parliamentary secretaries.
 - (e) What costs are expected to be incurred annually for the staff of parliamentary secretaries.
 - (f) Are the salaries of the staff sourced from the relevant Departments or from the Department of Premier and Cabinet.

ANSWER:

I am informed that:

The research required to provide a response to the question would place an unreasonable burden on the time and resources of my office.

However, the Honourable Member may wish to refer to the Victorian Government Directory and relevant Departmental Annual Reports.

Major projects: Docklands film and television studios — consultants

- 789. THE HON. E. G. STONEY** — To ask the Minister for Local Government (for the Minister for Major Projects): With reference to the film and television studios at Docklands:
- (a) What are the names of the consultants who undertook work in relation to the studios.
 - (b) What remuneration did the consultants receive.
 - (c) On what dates was the work performed and remuneration given.

ANSWER:

As attached.

<u>WORKS UNDERTAKEN BY CONSULTANTS ENGAGED BY MAJOR PROJECTS</u>			
<u>VICTORIA</u>			
Consultant	Cost (\$)	From	To
<u>Completed</u>	(Excluding GST)		
Acumen Alliance	8,880.00	Oct-01	Jan-02
Blake Dawson Waldron	713,462.05	Jul-01	Oct-02
Coffey Geosciences	3,000.00	Jul-01	Jul-01
Coffey Geosciences	66,176.00	Sep-01	Nov-02
Connell Mott McDonald	17,311.70	Jul-01	Dec-01
Davis Langdon Australia	68,255.00	Oct-01	Sep-02
Egis Consulting	4,900.00	Jun-01	Jun-01
Geoffrey Falk	6,800.00	Jul-02	Aug-02
I & T Nacha Pty Ltd	10,842.27	Aug-01	Nov-02
Kilpatrick & Associates	1,450.00	Sep-01	Oct-01
Marshall Day Acoustics	4,542.50	Jul-01	Jul-01
Ove Arup	65,360.00	Oct-01	Dec-01
Ove Arup	55,537.00	Dec-01	Sep-02
PPK Environment & Infrastructure	190,331.25	Oct-01	Sep-02
Pricewaterhouse Coopers	56,172.23	Aug-01	Oct-02
<u>Ongoing</u>			
Blake Dawson Waldron	47,829.30	Nov-02	Aug-03
Coffey Geosciences	7133.97	Dec-02	Aug-03
Ove Arup	43,312.50	Nov-02	Aug-03
Parsons Brinckerhoff	93,318.00	Nov-02	Aug-03

Premier: ministerial air travel

919. THE HON. ANDREW BRIDSON — To ask the Minister for Finance (for the Premier):

- (a) What was the total cost of international air travel incurred by the Premier's office from 1 March 2003 to 30 September 2003, including trips taken by the Premier, Premier's staff and advisors and the relevant Parliamentary Secretary.

- (b) What was the total cost of interstate air travel incurred by the Premier's office from 26 March 2003 to 30 September 2003, including trips taken by the Premier, the Premier's staff and advisors and the relevant Parliamentary Secretary.
- (c) What was the total cost of intrastate air travel incurred by the Premier's office from 26 March 2003 to 30 September 2003, including trips taken by the Premier, the Premier's staff and advisors and the relevant Parliamentary Secretary.

ANSWER:

I am informed that:

- (a) The total cost of international air travel incurred by my office for trips taken between 1 March 2003 and 30 September 2003 by myself and accompanying staff is \$22,852.52
- (b) and (c)
The total cost of domestic air travel incurred by my office for trips taken between 26 March 2003 and 30 September 2003 by myself and any accompanying ministerial staff, advisor or Parliamentary Secretary is \$41,800.24

Aboriginal affairs: Shannon's Way Pty Ltd

1067. THE HON. E. G. STONEY— To ask the Minister for Aboriginal Affairs: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

Nil

Consumer affairs: Shannon's Way Pty Ltd

1073. THE HON. E. G. STONEY— To ask the Minister for Consumer Affairs: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I advice that:

To provide details of payments made by agencies and statutory bodies under my administration would be an unreasonable diversion of my department's resources.

The Honourable Member may wish to submit a more specific question outlining which particular agency or statutory body they are interested in.

Industrial relations: Shannon's Way Pty Ltd

1087. THE HON. E. G. STONEY— To ask the Minister for Aged Care (for the Minister for Industrial Relations): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

No payments have been made by agencies and statutory bodies under my administration to Shannon's Way Pty Ltd since 5 December 2002.

Local government: Shannon's Way Pty Ltd

1089. THE HON. E. G. STONEY— To ask the Minister for Local Government: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

Nil.

Multicultural affairs: Shannon's Way Pty Ltd

1092. THE HON. E. G. STONEY— To ask the Minister for Aged Care (for the Minister for Multicultural Affairs): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

Nil.

Small business: Shannon's Way Pty Ltd

1098. THE HON. E. G. STONEY— To ask the Minister for Small Business: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 27 March 2003 to 29 October 2003, no payments were made by any agencies or statutory bodies under my administration to the firm Shannon's Way Pty Ltd.

Women's affairs: Shannon's Way Pty Ltd

1106. THE HON. E. G. STONEY— To ask the Minister for Local Government (for the Minister for Women's Affairs): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by any agency or statutory body under the Minister's administration since 5 December 2002.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

Nil.

Aboriginal affairs: Shannon's Way Pty Ltd

1108. THE HON. E. G. STONEY— To ask the Minister for Aboriginal Affairs: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

No payments have been made by the Department for Victorian Communities or my private office to the firm Shannon's Way Pty Ltd.

Industrial relations: Shannon's Way Pty Ltd

1128. THE HON. E. G. STONEY— To ask the Minister for Aged Care (for the Minister for Industrial Relations): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 27 March 2003 to 29 October 2003, no payments were made by the Department of Innovation, Industry and Regional Development or my Private Office to the firm Shannon's Way Pty Ltd.

Local government: Shannon's Way Pty Ltd

1130. THE HON. E. G. STONEY— To ask the Minister for Local Government: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

No payments have been made by the Department for Victorian Communities or my private office to the firm Shannon's Way Pty Ltd.

Multicultural affairs: Shannon's Way Pty Ltd

1133. THE HON. E. G. STONEY— To ask the Minister for Aged Care (for the Minister for Multicultural Affairs): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

No payments have been made by the Department for Victorian Communities or my private office to the firm Shannon's Way Pty Ltd.

Small business: Shannon's Way Pty Ltd

1139. THE HON. E. G. STONEY— To ask the Minister for Small Business: In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

In the period 27 March 2003 to 29 October 2003, no payments were made by the Department of Innovation, Industry and Regional Development or my Private Office to the firm Shannon's Way Pty Ltd.

Women's affairs: Shannon's Way Pty Ltd

1147. THE HON. E. G. STONEY— To ask the Minister for Local Government (for the Minister for Women's Affairs): In relation to Shannon's Way Pty Ltd:

- (a) What payments have been made to the company by the Minister's department or private office since 27 March 2003.
- (b) On what dates were the payments made.
- (c) What are the details of the projects for which payment was made.

ANSWER:

I am informed as follows:

No payments have been made by the Department for Victorian Communities or my private office to the firm Shannon's Way Pty Ltd.

Aged care: proposed Mornington hospital

1201. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: Will any of the \$4.5 million contained in the 2003-04 budget for the redevelopment of aged care facilities be spent on the proposed Mornington Hospital; if so, how much.

ANSWER:

The Government is committed to building a new rehabilitation and aged care centre at Mornington and planning for the development is in the early stages. No funds have been provided to date for the construction.

The \$4.5 million figure mentioned is the cash flow provided for the current financial year against the approved funding of \$25.5 million in the 2003/04 State Budget for upgrading residential aged care facilities.

Aged care: interim care services — funding

1202. THE HON. ANDREA COOTE — To ask the Minister for Aged Care: In relation to the allocation of \$17.3 million for interim care services which diverts patients from acute care while they wait for aged

residential care, what is the breakdown of the \$17.3 million, including the — (i) type of accommodation; (ii) location of the accommodation; and (iii) services that were provided.

ANSWER:

I am informed that:

The funding allocation for the interim care program in 2003/4 is \$15.9 million.

- (i) Of this amount, \$14.6 million is allocated to bed-based services and \$1.3 million is allocated to home based service.
- (ii) Interim care program funding was provided to the following Health Services in 2003/4: Bayside Health, Eastern Health, Melbourne Health, Northern Health, Peninsula Health, St Vincent's Health, Southern Health and Western Health.
- (iii) The services provided to individuals may vary depending on their circumstances and needs. In general terms, the services provided could include: nursing and personal care services, counselling, case management, and provision of/or assistance with meals.

Environment: zoos — upgrade

1239. THE HON. ANDREA COOTE — To ask the Minister for Local Government (for the Minister for Environment):

- (a) What are the details of the upgrades at each of Victoria's zoos.
- (b) How much funding will be allocated in the 2003-04 budget for the upgrade of each zoo.
- (c) When will the upgrade of each zoo begin.
- (d) What is the anticipated completion date for the upgrade of each zoo.

ANSWER:

I am informed that:

- (a) Several projects are being undertaken at each of Victoria's three zoos: Melbourne Zoo, Werribee Open Range Zoo and Healesville Sanctuary. These projects will assist to transform the zoos into more innovative and interactive organisations. A summary of these projects is provided below.

Melbourne Zoo

The Water Recycling Project will involve the installation of a treatment plant, associated underground piping and infrastructure to capture all waste water. This will be accompanied by visitor interpretation features and programs.

Stage 2 Trail of the Elephants will involve the acquisition of additional female elephants and the construction of a separate barn to house the existing bull elephant, extending the current experience. This will provide the two existing elephants with greater social interaction, creating a more natural environment. In line with regional strategy and new research, the acquisition of additional females will allow Melbourne Zoo to consider the option of breeding elephants in the future.

A new Orang Utan Exhibit will be developed to extend the Asian Rainforest zone, featuring orang utans in a naturalistic sanctuary setting.

The Interpretation and Learning Technologies Project will include the redevelopment of the Zoos Victoria web site and extensive development of exhibit interpretation across all three properties.

Werribee Open Range Zoo

The new Hippo River Exhibit will re-house the hippos in a naturalistic river habitat to form the nucleus of a second mixed species savannah zone.

A new thematic playground will provide for adventure play, exploration and educational programs focusing on African and Indigenous Australian cultures.

Healesville Sanctuary

Several green infrastructure projects are being undertaken including connection to mains sewer and natural gas, water treatment and flood mitigation.

A new Australian Wildlife Centre will be constructed providing a visitor experience around the workings of a wildlife hospital. The centre will care for the 1500 injured and orphaned animals received by the sanctuary each year. The centre will be open to the public and will also provide expert advice, support and training to the wildlife carer's network, veterinary professionals and the community at large.

The Sanctuary Centre will create a ticket free plaza with retail and catering, interactive animal experiences and ticket purchasing prior to entering the Sanctuary proper.

- (b) The 2003-04 State Budget allocated a total of \$32 million over three years (2003-04 to 2005-06) to implement capital works at all three of Victoria's zoos.
- (c) All projects are currently in the planning and design stages. Construction of most projects will be staged across 2004-05 and 2005-06.
- (d) It is anticipated that all projects will be completed by the end of 2005-06.

