



PARLIAMENTARY COMMITTEES PROGRESS ON INVESTIGATIONS

To 30 April 2009

56th Parliament

*Issued by Authority of the President of the Legislative Council
and the Speaker of the Legislative Assembly*

The Progress on Investigations provides a summary of the activities of Joint Investigatory Committees and Select Committees with investigatory functions.

1. The Joint Investigatory Committees of the Victorian Parliament are appointed pursuant to the ***Parliamentary Committees Act 2003***.

The functions of the **Joint Investigatory Committees** are detailed in sections 7 to 17 of the Act which, by section 33, also makes the following provisions regarding their role, sources of references and priorities in considering references:

- (1) A Joint Investigatory Committee must inquire into, consider and report to the Parliament on any proposal, matter or thing that is relevant to its functions and has been referred to the Committee-
 - (a) by resolution of the Council or the Assembly; or
 - (b) by Order of the Governor in Council published in the Government Gazette.
- (2) A resolution of the Council or the Assembly referred to in sub-section (1)(a) may specify a period of time within which the Joint Investigatory Committee must make a final report to the Parliament on the proposal, matter or thing.
- (3) A Joint Investigatory Committee may inquire into, consider and report to the Parliament on any annual report or other document relevant to the functions of the Committee that is laid before either House of the Parliament in accordance with an Act.
- (4) In carrying out its functions, a Joint Investigatory Committee must –
 - (a) give priority before all other proposals, matters or things being inquired into or being considered by the Committee-
 - (i) first to those proposals, matters or things referred to it by resolution of the Council or the Assembly; and
 - (ii) second, to those proposals, matters or things referred to it by Order of the Governor in Council published in the Government Gazette; and
 - (b) comply with any limitation of time specified under sub-section (2).

2. Select and Standing Committees may be established by resolution of either House of the Parliament and operate in accordance with the Standing Orders and not the ***Parliamentary Committees Act 2003***.

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DRUGS AND CRIME PREVENTION COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

Telephone: (03) 8682 2815 **Facsimile:** (03) 8682 2838

Email: dcpc@parliament.vic.gov.au

Website: www.parliament.vic.gov.au/dcpc

Members:

(Council) *Mr S Leane, Ms J Mikakos and Mrs A Coote*

(Assembly) *Mr H Delahunty, Mrs J Maddigan, Ms L Beattie and
Mr D Morris.*

Chair: Mrs Judy Maddigan

Executive Officer: Ms Sandy Cook

INQUIRY INTO JUSTICE AND CRIME STRATEGIES IN HIGH VOLUME CRIMES

Referred by the Legislative Assembly on 1 March 2007* – to inquire into and report upon justice and crime strategies in high volume crimes such as theft and property related offences, which often involve young people, with the Committee to provide recommendations on:

- (a) causal factors that may influence patterns of high volume crime; with particular emphasis on repeat offences committed by young people; and
- (b) strategies that may be effective in addressing the underlying causal factors or recidivist patterns of offending.

*extended to 30 November 2009 by the Legislative Assembly on 30 July 2008

Activities during April 2009

- Review of literature continued
- Mail out of the Discussion Paper continued
- Analysis of information received via submissions and public hearings
- Work continued on drafting of the Final Report.

ECONOMIC DEVELOPMENT AND INFRASTRUCTURE COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

Telephone: (03) 8682 2832 Facsimile: (03) 8682 2818

Email: edic@parliament.vic.gov.au

Website: www.parliament.vic.gov.au/edic

Members:

(Council) *Mr B Atkinson, Mr D Davis, Mr B Tee and vacant*
(Mr E Thornley resigned effective 9 January 2009)

(Assembly) *Hon C Campbell, Mr P Crisp and Ms M Thomson*

Chair: Hon Christine Campbell

Executive Officer: Dr Vaughn Koops

INQUIRY INTO IMPROVING ACCESS TO VICTORIAN PUBLIC SECTOR INFORMATION AND DATA

Referred by the Legislative Assembly on 27 February 2008 – for inquiry, consideration and report no later than 30 June 2009 on the potential application of open source licensing to Victorian Government information – and, in particular, the Committee is required to:

- (a) report on the potential economic benefits and costs to Victoria of maximising access to and use of Government information for commercial and/or non-commercial purposes, including consideration of:
 - (i) public policy developments elsewhere in Australia and internationally; and
 - (ii) the types of information that will provide the greatest potential benefit;
- (b) consider whether use of open source licensing models, including Creative Commons, would enhance the discovery, access and use of Government information;
- (c) report on the use of information and communication technology to support discovery, access and use of Government information; and
- (d) identify likely risks, impediments and restrictions to open source licensing of Government information, including impacts on and implications for any existing cost recovery arrangements.

Activity during April 2009

- Drafting of final report continued.

Future Activity

- Drafting of final report continues.

EDUCATION AND TRAINING COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

Telephone: (03) 8682 2821 **Facsimile:** (03) 8682 2818

Email: etc@parliament.vic.gov.au

Website: www.parliament.vic.gov.au/etc

Members:

(Council) *Mr N Elasmir and Mr P Hall*

(Assembly) *Mr M Dixon, Dr A Harkness, Mr S Herbert, Mr G Howard and
Mr N Kotsiras*

Chair: Mr Geoff Howard

Executive Officer: Ms Karen Ellingford

GEOGRAPHICAL DIFFERENCES IN HIGHER EDUCATION PARTICIPATION

Referred by the Legislative Council on 18 July 2007 – for inquiry, consideration and report no later than 30 June 2009 on geographical differences in the rate in which Victorian students participate in higher education.

The Committee will be exploring the reasons for and impact of such differences and would be interested in receiving comment on:

- a) variations in the number and type of university applications, offers, acceptances and completions in different metropolitan, rural and regional areas;
- b) influences of school retention rates, including enrolments and completions for VCE, VCAL and VET in schools on participation in higher education;
- c) influences of participation in other post-school pathways, including TAFE enrolments and take-up of apprenticeships or other employment opportunities, on participation in higher education;
- d) potential geographic, economic, social, cultural and other influences on university applications, offers, acceptances and completions across Victorian communities;
- e) advantages and disadvantages of participation and non-participation in higher education for school leavers and their families and communities in different metropolitan, rural and regional areas;
- f) potential effects of geographical differences in participation in higher education on skills shortages and the Victorian economy; and
- g) strategies to address any barriers contributing to geographic differences in participation in higher education.

Activities during April 2009

The Committee travelled to Geraldton and Perth, Western Australia to investigate the model of regional delivery being implemented through the Geraldton Universities Centre

In Geraldton, the Committee met with staff and students of the Geraldton Universities Centre, representatives of the Geraldton Universities Access Group, Central West TAFE and Kurongkurl Katitjin, and staff, students and parents of Geraldton Senior College. The Committee also attended a civic reception hosted by Cr Ian Carpenter, Mayor, City of Geraldton-Greenough

In Perth, the Committee met with representatives of the university partners involved in the Geraldton Universities Centre and the Director, Higher Education and Legislative Review, WA Department of Education Services.

Future Activity

The Committee will commence deliberations on the final report during May.

SKILLS SHORTAGES IN THE RAIL INDUSTRY

Referred by the Legislative Assembly on 4 December 2008 — for inquiry, consideration and report no later than 31 December 2009 on skills shortages in the rail industry — and the Committee is to explore possible solutions and, in particular, is asked to consider:

- a) factors influencing recruitment and retention;
- b) demographic profile of the workforce and the outlook for future retirements and loss of skills;
- c) implications of the Victorian Industry and Manufacturing Statement commitment in relation to local content; and
- d) whether there is any need for increased training opportunities at university and trade levels and, if so, how industry can stimulate student/user demand.

Activity during April 2009

The Committee had received 12 written submissions as at 30 April 2009.

Future Activity

The Committee will continue to accept written submissions and will commence public hearings in June 2009.

POTENTIAL FOR DEVELOPING OPPORTUNITIES FOR SCHOOLS TO BECOME A FOCUS FOR PROMOTING HEALTHY COMMUNITY LIVING

To the Education and Training Committee — for inquiry consideration and report no later than 1 July 2010 on the potential for developing opportunities for schools to become a focus for promoting healthy community living, in particular:

- a) existing activities carried out by schools to promote holistic healthy living within their school communities involving healthy eating, active lifestyles, sun smart awareness and appreciation of the effects of harmful substances;
- b) successful programs which have been instituted in schools in other states or internationally;
- c) identify whether it is appropriate for the State to encourage schools to extend health programs to be directed at the broader school community and, if so, what the most effective and efficient approaches are;

- d) opportunities for linking with community leaders and forming partnerships with business and community organisations;
- e) existing broader health promotion policies and activities; and
- f) how school-based activities could relate and coordinate with these to maximise impact and efficiency.

Activity during April 2009

This inquiry is yet to commence.

EFFECTIVE STRATEGIES FOR TEACHER PROFESSIONAL LEARNING

Referred by the Legislative Assembly on 1 March 2007 – for inquiry, consideration and report no later than 31 December 2008 on effective strategies for teacher professional learning with particular regard to:

- (a) the relationship between ongoing professional learning for teachers and teaching expertise;
- (b) which factors will support high quality professional learning for teachers, including learning methods and environments for the development of professional knowledge, and the pedagogy relevant to professional development of teachers;
- (c) national and international trends regarding ongoing professional learning for teachers and report on innovative initiatives;
- (d) determining how best practice in ongoing professional learning for teachers can be delivered into schools and learning communities;
- (e) examining the potential for greater cross-sectoral links between industry, training institutions and schools in the delivery of ongoing professional learning for teachers; and
- (f) examining gender issues in the delivery of ongoing professional learning for teachers.

Future Activity

The Government response is due in August 2009.

ELECTORAL MATTERS COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

Telephone: (03) 8682 2885 Facsimile: (03) 8682 2858

Email: emc@parliament.vic.gov.au

Website: www.parliament.vic.gov.au/emc

Members:

(Council) Ms C Broad, Mr P Davis and Mr A Somyurek

(Assembly) Hon C Campbell, Mr M O'Brien, Mr R Scott and
Mr M Thompson

Chair: Mr Adem Somyurek

Executive Officer: Mr Mark Roberts

INQUIRY INTO POLITICAL DONATIONS AND DISCLOSURE

Referred by the Legislative Council on 16 April 2008 – for inquiry, consideration and report no later than 30 April 2009 on —

- (1) whether the **Electoral Act 2002** should be amended to create a system of political donations disclosure and/or restrictions on political donations; and
- (2) the outcome resulting from similar legislative reforms introduced in Canada, the United Kingdom and other relevant jurisdictions.

Activities during April 2009

- Committee considered remaining draft chapters of the report at meetings on 6, 20 and 27 April 2009
- Report adopted on 27 April 2009.

Future Activities

- Report to be tabled on 7 May 2009
- Report to be mailed to all inquiry stakeholders
- Government response due 7 November 2009.

INQUIRY INTO VOTER PARTICIPATION AND INFORMAL VOTING

Committee self-generated new terms of reference on 5 May 2008, as follows -

Pursuant to Section 33(3) of the **Parliamentary Committees Act 2003**, the Electoral Matters Committee inquire into and report to Parliament upon issues relating to – (i) voter participation; and (ii) informal voting.

The Committee is required to report to Parliament by 30 June 2009.

Activities during April 2009

- Secretariat continuing to summarise key points from public hearings, submissions, international investigations and other relevant material for Committee consideration
- Briefing papers prepared for Committee members on a range of topics relating to inquiry
- Further submission received from VEC.

Future Activities

- Secretariat to continue research and writing chapters of inquiry report
- Committee meeting with Electoral Commissioner and Deputy Electoral Commissioner, Victorian Electoral Commission on 4 May 2009
- Committee to consider draft chapters of report in June 2009
- Report tabling proposed for 30 July 2009.

INQUIRY INTO MATTERS ARISING FROM KOROROIT DISTRICT BY-ELECTION

Referred by the Legislative Council on 1 April 2009 to inquire, consider and report no later than 28 February 2010 —

- (1) on the deliberate misleading of the electors in the 28 June 2008 Kororoit by-election, whereby a pamphlet authorised by the Secretary of the Australian Labor Party was distributed that claimed “A vote for Les Twentyman is a vote for the Liberals” contributing, in the opinion of the Victorian Electoral Commissioner, to “an undesirable trend for candidates to take advantage or build on community misunderstandings of preferential voting with confusing statements”; and
- (2) as the Victorian Electoral Commissioner has suggested in his Report on the Kororoit District By-election held on 28 June 2008, whether the *Electoral Act 2002* should be amended to improve the operation of the misleading provisions of the Act so that such abuses are more likely to be successfully prosecuted.

Activity during April 2009

- Committee considered terms of reference and resolved to examine and adopt reports on the inquiries into Political Donations and Disclosure and Voter Participation and Informal Voting prior to commencing this inquiry.

Future Activity

- Advertisements calling for submissions scheduled for early July 2009, followed by public hearings at Parliament House proposed for 18 and 19 August 2009.

ENVIRONMENT AND NATURAL RESOURCES COMMITTEE

Parliament House, Spring Street, East Melbourne, 3002

Telephone: (03) 8682 2803 Facsimile: (03) 8682 2818

Email: enrc@parliament.vic.gov.au

Website: www.parliament.vic.gov.au/enrc

Members:

(Council) *Mrs D Petrovich and Mr M Viney*

(Assembly) *Ms J Duncan, Mrs C Fyffe, Mr C Ingram, Ms T Lobato,
Hon J Pandazopoulos and Mr P Walsh*

Chair: Hon J Pandazopoulos

Executive Officer: Ms Caroline Williams

INQUIRY INTO MELBOURNE'S FUTURE WATER SUPPLY

Referred by the Legislative Council on 19 September 2007 - to inquire, consider and report no later than 31 December 2008 on the relative merits of supplementing Melbourne's water supply by some or all of the following means:

- 1) further water savings that can be achieved by increased conservation and efficiency efforts;
- 2) the collection of stormwater;
- 3) the re-use of treated waste water;
- 4) the use of groundwater;
- 5) small locally based desalination plants; and
- 6) any other optional water source which appears to the Committee to be appropriate.

On the 9 October 2008 the Legislative Council resolved that the reporting date for the *Inquiry into Melbourne's Future Water Supply* be amended so as to require the Committee to present its report by 30 April 2009.

Activities during April 2009

- Drafting of ENRC water report
- Deliberations on draft ENRC water report
- Research Officer attended Parliamentary science briefing on Sustainability Impacts on Industry (2 April).

Future Activities

- Further deliberations on draft ENRC water report
- Adoption of water report
- Tabling of ENRC water report on Tuesday 2 June

INQUIRY INTO THE APPROVALS PROCESS FOR RENEWABLE ENERGY PROJECTS IN VICTORIA

Referred by the Legislative Assembly on 4 December 2008 - to inquire, consider and report no later than 31 December 2009 on opportunities to reduce red tape associated with the approvals process for renewable energy projects in Victoria — in particular the Committee is asked to consider:

- (a) the major obstacles facing investors in large-scale renewable energy projects in Victoria, including environmental, planning and other regulations;
- (b) how Victoria compares to other Australian jurisdictions with regard to relevant approvals for renewable energy projects - in particular wind farms as they are the most common form;
- (c) opportunities to reduce risk and delays for investors, whether that be through streamlining regulatory processes, appeals processes or other costs/risks;
- (d) the likely future drivers of renewable energy in Victoria, particularly in the context of the carbon pollution reduction scheme and the expanded federal renewable energy target;
- (e) other reviews and inquiries covering similar issues — this would include the Australian Energy Market Commission's review of energy market frameworks in light of climate change policies and the Environment Protection and Heritage Council's report on impediments to environmentally and socially responsible wind farm development.

Activities during April 2009

- Advertised the terms of reference in major newspapers on 1 April. Called for written submission by 15 June
- Executive Officer attended Monash University seminar 'Powering ahead - The future sustainability of Victoria's energy supplies'.

Future Activities

- Development of a research program for the Inquiry
- Briefing from the Department of Primary Industries on the terms of reference (22 June)
- Commence public hearings in July.

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

Parliament House, Spring Street, East Melbourne, 3002

Telephone: (03) 8682 2843 **Facsimile:** (03) 8682 2808

Email: fcdc@parliament.vic.gov.au

Website: www.parliament.vic.gov.au/fcdc

Members:

(Council) *Mr B Finn, Mr J Scheffer, Mr A Somyurek*

(Assembly) *Mr W Noonan, Mr. J Perera, Mrs E J Powell, Ms M Wooldridge*

Chair: Mr Jude Perera

Executive Officer: Dr Janine Bush

INQUIRY INTO THE PROVISION OF SUPPORT ACCOMMODATION FOR VICTORIANS WITH A DISABILITY OR MENTAL ILLNESS

To the Family and Community Development Committee — for inquiry, consideration and report no later than 30 June 2009 on the provision of supported accommodation for Victorians with a disability and/or mental illness and, in particular, the Committee is asked to report on the current situation in Victoria and compare it to best practice in other jurisdictions regarding:

- (a) the standard and range of accommodation currently available;
- (b) the extent of accommodation and services currently available, including the different models for service delivery and funding;
- (c) the methods for measuring unmet demand for accommodation and how these can be improved;
- (d) the process for managing service quality;
- (e) availability of sufficient accommodation to meet future demand with an appropriate range of services;
- (f) access and service issues for particular groups, including rural communities, culturally and linguistically diverse communities and indigenous Australians; and
- (g) the impact on families of the current service provision of accommodation; and for the purpose of this inquiry 'supported accommodation' means public and private accommodation provided for people with a disability or mental illness who need additional support services but excludes mental health treatment services (SEC, PARC) and the disability forensic program (SFS).

INQUIRY ON THE STATE GOVERNMENT'S PROVISION OF SUPPORT ACCOMMODATION FOR VICTORIANS WITH A DISABILITY OR MENTAL ILLNESS

That this house requires the Family and Community Development Committee to inquire, consider and report, no later than 30 June 2009, on the state government's provision of supported accommodation for Victorians with a disability and/or mental illness with regard to the following:

- (1) description of current government funded supported accommodation, including the number and location of places, occupancy, staffing, demand management, methods of funding and oversight;
- (2) the adequacy of the current number of places and care provided in community residential units, residential institutions, community care units, secure extended care units, prevention and recovery care facilities and other forms of supported accommodation;
- (3) the adequacy and appropriateness of care and accommodation provided in various government, private and community facilities that accommodate clients with a disability or mental illness because of insufficient places in the specialist system, and in particular including supported residential services, boarding houses, public hospitals, nursing homes and SAAP funded services;
- (4) the impact on Victorian families of insufficient supported accommodation;
- (5) estimates of future supported accommodation needs and the appropriateness and transparency of the Government's management of demand and placement;
- (6) the government's response to unmet accommodation needs, including sources of funding, planning and delivery;
- (7) the ability of country Victorians to access supported accommodation and the appropriateness and quality of care they receive;
- (8) the ability of members of culturally and linguistically diverse communities to access supported accommodation and the appropriateness and quality of care they receive;
- (9) the appropriateness of the current mix of service providers, including government, private and community; and
- (10) alternate approaches addressing unmet needs in supported accommodation in Victoria.

Activities during April 2009

- The tabling date for the report has been extended to 15 Dec 2009
- Analysis of evidence & Committee discussion of key themes
- Public hearing held on 30 April 2009.

Future Activity

- Ongoing thematic review of recommendations provided in evidence.

LAW REFORM COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

Telephone: (03) 8682 2851 Facsimile: (03) 8682 2818

Email: VPLRC@parliament.vic.gov.au

Website: www.parliament.vic.gov.au/lawreform

Members:

(Council) Mrs J Kronberg, Mr E O'Donohue, Mr J Scheffer (from 9 August 2007), Mr B Tee (member and chair until 9 August 2007)

(Assembly) Mr C Brooks, Mr R Clark, Mr L Donnellan, Mr M Foley (from 30 October 2007), Mrs J Maddigan (member from 8 August 2007 until 30 October 2007) and Mr T Lupton (member until 8 August 2007)

Chair: Mr Johan Scheffer (from 20 August 2007)

Executive Officer: Ms Kerry Riseley

PROPERTY INVESTMENT

Referred by the Legislative Assembly on 1 March 2007 – for inquiry, consideration and report no later than 31 March 2008 on property investment and property marketeers with particular regard to:

- a) reviewing the regulatory framework for the provision of property investment advice, with the objective of establishing how best to control the exploitation of Victorians in the context of keeping the burden on business as low as possible;
- b) the Commonwealth's role in regulating financial advice, and the ongoing work of the Ministerial Council on Consumer Affairs in considering regulation of this area.

Activities

- The Committee tabled its final report on 10 April 2008.
- The Government response was due to be tabled by 10 October 2008 but has not yet been received.

ALTERNATIVE DISPUTE RESOLUTION

Referred by the Legislative Assembly on 1 March 2007 – for inquiry, consideration and report no later than 31 March 2009* on:

- a) the reach and use of alternative dispute resolution (ADR) mechanisms, including Government established ADR schemes and restorative justice schemes, so as to improve access to justice and outcomes in civil and criminal court jurisdictions and to reduce the need, where possible, for contact with the court system, particularly in marginalised communities;
- b) whether a form of Government regulation of alternative dispute resolution providers is appropriate or feasible so as to ensure greater consistency and accountability for Victorians wishing to access alternative dispute resolution.

* The reporting date was extended to 31 May 2009 by resolution of the Legislative Assembly on 31 March 2009.

Activity during April 2009

- The Committee adopted the report.

Future activities

- The Committee will table the report
- The final report will be mailed out to all key stakeholders.

VEXATIOUS LITIGANTS

Referred by the Legislative Assembly on 1 March 2007 – for inquiry, consideration and report no later than 4 December 2008 on the effect of vexatious litigants on the justice system and the individuals and agencies who are victims of vexatious litigants — and, the Committee should:

- a) inquire into the effectiveness of current legislative provisions in dealing with vexatious litigants;
- b) make recommendations which better enable the courts to more efficiently and effectively perform their role while preserving the community's general right of access to the Victorian courts.

Activities

- The Committee tabled its final report on 4 December 2008
- The Government response is due to be tabled by 4 June 2009.

REVIEW OF THE *MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978*

Referred by the Legislative Assembly on 4 December 2008 – that the Law Reform Committee:

1. be required to undertake a review of the Members of Parliament (Register of Interests) Act 1978 to consider and make recommendations on amending the Act; and
2. present the report on its review six months from the date of this resolution.*

* The reporting date was extended to 31 December 2009 by resolution of the Legislative Assembly on 31 March 2009.

Activities during April 2009

- The Committee advertised a call for submissions
- The Chair wrote to key stakeholders advising them of the call for submissions and inviting them to make a submission
- The literature review, research and study of systems in comparative parliaments continued.

Future activities

- Submissions to the Inquiry are due by 29 May 2009
- The Committee will hold public hearings in mid-2009.

POWERS OF ATTORNEY

Referred by the Legislative Assembly on 4 December 2008 — for inquiry, consideration and report no later than 31 December 2009 on law reforms aimed at streamlining and simplifying powers of attorney documents to enable more Victorians to plan for their future financial, lifestyle and healthcare needs — specifically the Committee is asked to:

- (a) consider the differing formality requirements and terminology, and coverage of the power of attorney documents, governed by the Instruments Act 1958 and the Guardianship and Administration Act 1986;
- (b) establish whether the donor of a power of attorney has capacity to create a legally enforceable document and differing execution requirements and the different tests that apply;
- (c) clarify the powers granted by the donor when making a power of attorney;
- (d) examine ways of minimising abuse in relation to the execution of and exercise of powers under powers of attorney documents;
- (e) consider the issue of legal capacity in the context of when an enduring power of attorney is executed and activated; and
- (f) advise on the need for adopting potential safeguards such as the registration of documents (voluntary or mandatory).

Future activities

- This Inquiry has not yet commenced
- The Committee plans to advertise the Inquiry in the second half of 2009.

POWERS OF ATTORNEY

Referred by the Legislative Assembly on 4 December 2008 — for inquiry, consideration and report no later than 31 December 2009 on law reforms aimed at streamlining and simplifying powers of attorney documents to enable more Victorians to plan for their future financial, lifestyle and healthcare needs — specifically the Committee is asked to:

- (a) consider the differing formality requirements and terminology, and coverage of the power of attorney documents, governed by the Instruments Act 1958 and the Guardianship and Administration Act 1986;
- (b) establish whether the donor of a power of attorney has capacity to create a legally enforceable document and differing execution requirements and the different tests that apply;
- (c) clarify the powers granted by the donor when making a power of attorney;
- (d) examine ways of minimising abuse in relation to the execution of and exercise of powers under powers of attorney documents;

- (e) consider the issue of legal capacity in the context of when an enduring power of attorney is executed and activated; and
- (f) advise on the need for adopting potential safeguards such as the registration of documents (voluntary or mandatory).

Future activities

- This Inquiry has not yet commenced
- The Committee plans to advertise the Inquiry in the second half of 2009.

OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

Telephone: (03) 8682 2826 Facsimile: (03) 8682 2858

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Members:

(Council) *Mr N Elasmr, Mr M Guy and Ms C Hartland*

(Assembly) *Ms D Green, Mr D Hodgett, Mr D Nardella, Mr G Seitz and Hon K Smith*

Chair: Mr George Seitz

Executive Officer: Mr Sean Coley

INQUIRY INTO SUSTAINABLE DEVELOPMENT OF AGRIBUSINESS IN OUTER SUBURBAN MELBOURNE

Received from the Legislative Assembly on 9 October 2008

To inquire, consider and report to Parliament on the major issues relating to the production, processing and distribution of agricultural products in the interface municipalities and peri-urban areas of Melbourne. In particular, the Committee is requested to:

- 1) Identify the types of agricultural sectors operating in interface municipalities and peri-urban areas;
- 2) Examine the role of agribusiness in enhancing economic growth, increasing jobs and the sector's contribution towards promoting healthy, sustainable and prosperous outer suburban areas;
- 3) Investigate the role of planning in encouraging the development of agribusiness;
- 4) Analyse the options for sustainable food production, including environmental stewardship and local food production;
- 5) Investigate impediments faced by the industry to its long term growth and sustainability and recommend options to resolve these barriers;
- 6) Highlight niche and well performing sectors operating in the interface of Melbourne, with particular reference to viticulture, horticulture and sustainable agriculture;
- 7) Examine exemplary programs supported by governments (at all levels), the private sector and non-government organisations, which assist the sustainability of the agribusiness sector; and
- 8) Investigate national and international initiatives relevant to these issues.

The Committee is to make its final report to Parliament no later than 31 March 2010.

Activities during April 2009

The Committee undertook background research and liaison with councils, for future public hearings in outer suburban and peri urban areas of Melbourne

Conferences:

28-29 April Attendance at the Melbourne Planning Summit, Melbourne

Future Activity

Public Hearings:

12 May 2009 Hume City Council

19 May 2009 Moorabool Shire Council

COMMITTEE REPORT TABLED AND AWAITING GOVERNMENT RESPONSE:

Inquiry into Local Economic Development in Outer Suburban Melbourne: Response due at the next Parliamentary Sitting Week (week beginning 5 May 2009).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

Telephone: (03) 8682 2862 **Facsimile:** (03) 8682 2898

Email: paec@parliament.vic.gov.au

Website: www.parliament.vic.gov.au/paec

Members:

(Council) *Mr R Dalla-Riva, Ms J Huppert, Ms S Pennicuik, Mr G Rich-Phillips,*

(Assembly) *Mr B Stensholt (Chair), Mr K Wells (Deputy Chair), Ms J Munt, Mr W Noonan, Mr R Scott, Dr B Sykes*

Chair: Mr Bob Stensholt

Executive Officer: Ms Valerie Cheong

THE VICTORIAN AUDITOR–GENERAL’S OFFICE

Source of reference: *Audit Act 1994*, sections 17(1) and 19(2).

Activities during April 2009:

Review of the findings and recommendations of the Auditor-General’s reports tabled March 2007-August 2007 (Round Two)

Finalisation of draft reports and review of witnesses’ responses to clarification questions and other evidence in relation to:

Priority One audits:

- State investment in Major Events;
- Maintaining Victoria’s Rail Infrastructure Assets; and
- Promoting Better Health through Healthy Eating and Physical Activity.

Priority Two audits:

- Raising and Collection of Fees and Charges by Departments;
- Administration of Non-judicial Functions of the Magistrates Court of Victoria;
- Contracting and Tendering Practices in Selected Agencies; and
- Managing Emergency demand in Public Hospitals.

Review of the findings and recommendations of the Auditor-General’s reports tabled September 2007-February 2008 (Round Three)

Priority One

- Improving Our Schools: Monitoring and Support; and
- Funding and Delivery of Two Freeway Upgrade Projects.

Priority Two

- Program for Students with Disabilities: Program Accountability; and
- Agricultural Research and Investment, Monitoring and Support.

Receipt and review of responses to questionnaires from Departmental witnesses and the Auditor-General

Public hearings conducted with witnesses on 29 April in relation to Priority One audits. Further details pertaining to the hearings are available via this link:

<http://www.parliament.vic.gov.au/paec/hearings.html>

Transcripts of evidence are pending verification from witnesses before being posted on the PAEC website.

Draft Performance Audit Specifications

Audit specifications received in March for review and Audit Sub-Committee consideration pertaining to:

- Capacity of police and emergency services to respond to people with mental health issues;
- Advanced Metering Infrastructure;
- Construction of police stations and courthouses; and
- Compliance with Community Corrections orders.

Future Activities

Questionnaires will be drafted and sent to witnesses for Round 3 priority two audits listed above.

Consideration of the evidence, research and drafting of reports for priority one and two audit reviews for Round 3.

The Auditor-General is expected to provide the Committee with further audit specifications.

Committee consideration of:

- draft reports in relation to Round Two priority one and priority two audit subject matters (outlined above), for expected tabling June 2009;
- Formal comments for Parliamentary consideration in relation 2009-10 final Budget and 2009-10 Annual Plan for the Victorian Auditor-General's Office;
- Draft specifications for proposed performance audits to be conducted by the Auditor-General; and
- Receipt and consideration of the draft response from the Auditor-General and the Government's Response on the Committee's recommendations Report on the *Review of the findings and recommendations of the Auditor-General's reports tabled July 2006-February 2007*, due 13 May 2009.

INQUIRY INTO PUBLIC FINANCE PRACTICES AND LEGISLATION

Source of reference: *Parliamentary Committees Act 2003*, section 33(3).

Terms of reference are available via:

http://www.parliament.vic.gov.au/paec/inquiries/finance_practices_legislation/terms.html

Activity during April 2009:

Draft Final Report developed for Committee consideration.

Future Activity

Further amendments and Committee consideration and adoption of the final Report on *New Directions in Accountability, Inquiry into Victoria's Public Finance Practices and Legislation* for expected tabling in June 2009.

INQUIRY INTO THE 2007-08 FINANCIAL AND PERFORMANCE OUTCOMES

Source of reference: *Parliamentary Committees Act 2003*, section 33(3).

Activity during April 2009

Research and drafting of Report content progressed and completed for Committee consideration in May 2009.

Future Activity

Committee adoption of the draft Report for tabling in May 2009.

INQUIRY INTO THE 2009-10 BUDGET ESTIMATES

Activities during April 2009

Further planning for the 2009-10 Budget Estimates Inquiry including organising a budget briefing seminar for Parliamentarians and public hearings with Ministers progressed

Responses to invitations to the Premier, Treasurer and Ministers to attend public hearings received. Final 2009-10 Budget Estimates hearings schedule posted on the Committee's website and is accessible via this link:

<http://www.parliament.vic.gov.au/paec/hearings.html>

Future Activities

Planning for the Part One report on the 2009-10 Budget Estimates for tabling early June 2009.

Preparation for the budget briefing seminar including finalisation of guest list, venue liaison and preparation of materials for the seminar, in conjunction with the Department of Treasury and Finance.

Receipt and analysis of questionnaire responses in preparation for the budget estimates hearings and Inquiry report.

Planning of the structure and content of the *2009-10 Budget Estimates Report, Part Three*.

Budget estimates hearings (41 portfolios in total) to be conducted by the Committee with the Presiding Officers, Premier, Treasurer and Ministers from 8 May to 22 May. Review

and verification of estimates hearings transcripts and preparation of report the Report on the 2009-10 Budget Estimates Part One.

INQUIRY INTO THE 2008-09 BUDGET ESTIMATES

Source of reference: *Parliamentary Committees Act 2003*, section 33(3).

Future Activity

Response from the Government on the Committee's recommendations received 15 April 2009 for Committee review and consideration.

2006-07 FINANCIAL AND PERFORMANCE OUTCOMES

Activity during April 2009

Response from the Government received 19 November 2008 on the Committee's recommendations considered within the *2007-08 Financial and Performance Outcomes Report*.

ROAD SAFETY COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

Telephone: (03) 8682 2846 Facsimile: (03) 8682 2818

Email: rsc@parliament.vic.gov.au

Website: www.parliament.vic.gov.au/rsc

Members:

(Council) *Mr D Koch and Mr S Leane*

(Assembly) *Mr J Eren, Mr C Langdon, Mr T Mulder, Mr I Trezise and Mr P Weller*

Chair: Mr John Eren

Executive Officer: Ms Alexandra Douglas

FEDERAL–STATE ROAD FUNDING ARRANGEMENTS INQUIRY

Referred by the Legislative Assembly on 1 March 2007 – for inquiry, consideration and report no later than 30 September 2008* on Federal – State road funding arrangements – and the Committee should –

- (a) review current arrangements in Australia;
- (b) assess the current arrangements in Australia in respect of economic efficiency and equity;
- (c) make recommendations for improving Federal–State road funding arrangements in Australia.

*Report date extended to 30 September 2009 by resolution of the Legislative Assembly on 4 December 2007.

Activity during April 2009

- Work on this inquiry has not yet commenced.

INQUIRY INTO THE PROCESS OF DEVELOPMENT, ADOPTION AND IMPLEMENTATION OF AUSTRALIAN DESIGN RULES

Referred by the Legislative Assembly on 9 September 2008 –

That, under s33 of the *Parliamentary Committees Act 2003*, the Road Safety Committee be required to inquire into, consider and report no later than 30 November 2009 on the process of development, adoption and implementation of Australian design rules and to consider other worldwide practices with a focus on improving vehicle safety.

Activity during April 2009

- The first day of public hearings occurred 20 April. Representatives from VicRoads and the Monash University Accident Research Centre appeared before the Committee.

Future Activity

- Undertake a day of briefings in Canberra.

INQUIRY INTO THE SAFETY OF PEDESTRIANS IN CAR PARKS

Referred by the Legislative Assembly on 4 December 2008 –

That under s33 of the Parliamentary Committees Act 2003 the following matters be referred to the Road Safety Committee for inquiry consideration and report, no later than 31 May 2010, on the current rules and standards that apply to pedestrian safety in car parks and the Committee is to recommend potential measures that relevant authorities should consider to improve safety for pedestrians.

Activities during April 2009

- Correspondence was sent to key agencies, including each municipality, car-park management and shopping centres seeking their views.
- The recruitment process for a Research Officer continued with interviews conducted.

Future Activity

- Advertisements in The Age and Herald Sun, and a number of major regional newspapers will be placed calling for submissions.

RURAL AND REGIONAL COMMITTEE

Parliament House, Spring Street, East Melbourne, 3002

Telephone: 1300 787 202 / 03 8682 2884

Facsimile: 03 8682 2858

Website: www.parliament.vic.gov.au/rrc

Email: rrc@parliament.vic.gov.au

Members:

(Council) *Ms K Darveniza, Mr D Drum, Ms W Lovell, Ms G Tierney and Mr J Vogels*

(Assembly) *Ms K Marshall and Mr R Northe*

Chair: Mr Damian Drum

Executive Officer: Ms Lilian Topic

INQUIRY INTO THE PROPOSED CHANGES TO TAXATION ARRANGEMENTS FOR MANAGED INVESTMENT SCHEMES (NON-FORESTRY)

Referred by the Legislative Assembly on 1 March 2007 – to inquire, consider and report no later than 30 September 2007 on the potential economic impacts to Victoria's rural and regional businesses and communities as a result of the proposed changes to the taxation arrangements for Managed Investment Schemes (non-forestry), which have been recently announced by the Commonwealth; of particular interest are the impacts on investment, job creation, exports and resource use (water and land) — and, to this end, the Committee should consider the core issues of the:

- (a) investment, job creation and exports which have occurred over the past three years in rural and regional areas as a result of Managed Investment Schemes;
- (b) investment, job creation and exports, which is occurring in rural and regional areas following the planned transition period;
- (c) net economic impacts on Victoria's rural and regional areas over the next five years;
- (d) impacts on northern Victoria's irrigation water markets; and
- (e) anticipated structural changes and the new industry opportunities in rural and regional areas —

and the Committee should make recommendations on any necessary or desirable actions that could be taken to assist Victoria's rural and regional businesses to adapt to the proposed changes in order to limit the potential negative impacts of the changes.

The Committee is required to report to Parliament by 30 September 2007.

INQUIRY INTO REGIONAL CENTRES OF THE FUTURE

Referred by the Legislative Assembly on 27 May 2008 – to inquire into, consider and report no later than 30 September 2009 on measures to build on the current Government's investment in regional Victoria, through further development and enhancement of regional centres, focusing on the development of regional centres as

places of economic, environmental, social and cultural innovation that enable regional Victoria to meet the challenge of predicted future population growth in this state, and, in particular, the Committee is required to report on:

- (1) measures that could be taken to encourage new and existing businesses, industries and government authorities to establish operations in regional centres;
- (2) the development of industrial land to support the economic base of regional centres;
- (3) the most effective investments in infrastructure to encourage business and industry development in regional centres, and to support and encourage further population growth in regional centres;
- (4) measures to promote strong social capital and high quality-of-life outcomes in growing regional centres; and
- (5) examples from other jurisdictions where promotion of population growth in regional centres has successfully occurred.

The Committee is required to report to the Parliament by 30 September 2009.

Activities during April 2009

- Committee conducted a regional public hearing in Wodonga, with the following witnesses appearing:
 - Regional Development Company Pty Ltd; Wodonga City Council; Murrindindi Shire Council; Indigo Shire Council; Towong Shire Council; Latrobe University – Mildura Campus; the Institute for Land, Water and Society – Charles Sturt University; Latrobe University – Albury/Wodonga Campus; the former Albury Wodonga Multicultural Resource Centre; Upper Hume Primary Care Partnership; School of Environmental Science – Charles Sturt University
- Committee conducted a regional public hearing in Wangaratta, with the following witnesses appearing:
 - Rural City of Wangaratta Council; Benalla Rural City Council; Alpine Shire Council; Strathbogie Shire Council; Burder Industries Pty Ltd; Wangaratta Unlimited; Alpine Valley Community Leadership Program; Australian Alpine Valleys Agribusiness Forum; Rural Plan Pty Ltd; Tomorrow Today Foundation
- Preparation for public hearing scheduled for 04 May in Melbourne
- Preparation for international investigations scheduled for May 2009, as approved by the Presiding Officers: organisation of meetings, travel and briefing papers
- Ongoing discussion and review of 2009 timetables
- Research and literature review continued
- Recruitment of a Research Officer.

Future activities

- Finalisation of the itinerary of meetings for the international investigations, planning and organisation of meetings and travel, development of briefing papers.
- Organisation and coordination of public consultation program
- Research and writing of briefing material for regional hearings

- Processing of submissions received
- Summary of submissions and transcripts of evidence
- Ongoing research and drafting
- Preparation of a timetable for drafting of the report
- Preparation of draft recommendations and chapter outlines for the report.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

Telephone: (03) 8682 2891 Facsimile: (03) 8682 2858

Email: andrew.homer@parliament.vic.gov.au (Scrutiny of Bills)
 helen.mason@parliament.vic.gov.au (Scrutiny of Regulations)
 simon.dinsbergs@parliament.vic.gov.au (Administration)
 victoria.kalapac@parliament.vic.gov.au (Administration – Regulations)

Website: www.parliament.vic.gov.au/sarc

Members

(Council) *Mr K Eideh, Mr E O'Donohue, Mrs I Peulich and Ms J Pulford*

(Assembly) *Mr C Brooks, Mr C Carli (Chair), Mr K Jasper (Deputy Chair),
Mr T Languiller and Mr R Smith*

Chair: Mr Carlo Carli

Executive Officer: Mr Andrew Homer

FULL COMMITTEE

Exceptions and Exemptions to the *Equal Opportunity Act 1995*

On the 16 December the Governor in Council referred Terms of Reference requiring the Committee to inquire into, consider and report to Parliament by 30 April 2009 on whether any amendments should be made to the exceptions and exemptions in the Equal Opportunity Act 1995.

Activities during April 2009

The Committee held an informal briefing with Associate Professor Beth Gaze (Consultant) to discuss the principles, directions and options with regard to an Options Paper for the Inquiry into the Exceptions and Exemptions to the Equal Opportunity Act 1995.

The Full Committee did not meet during April 2009.

SUBCOMMITTEES

Redundant Legislation

Mr Edward O'Donohue, MLC (Chair)
Mr Carlo Carli, MP
Mr Khalil Eideh, MLC
Mrs Inga Peulich, MLC
Ms Jaala Pulford, MLC

Activity during April 2009

The Subcommittee did not meet during April.

Regulation Review

Mr Ken Jasper, MP (Chair)
Mr Carlo Carli, MP
Mr Colin Brooks, MP
Mr Khalil Eideh, MLC
Mr Ryan Smith, MP

Activity during April 2009

The Subcommittee met on 29 April 2009, where it considered and approved the following Regulations:

- Statutory Rules 2008

SR No. 158 – Victorian Energy Efficiency Target Regulations 2008

SR No. 162 – Prevention of Cruelty to Animals Regulations 2008

SR No. 165 – Gas Safety (Gas Installation) Regulations 2008

SR No. 169 – Accident Towing Services Regulations 2008

- Statutory Rules 2009

SR No. 3 – Fisheries (Fees, Royalties and Levies) Amendment Regulations 2009

SR No. 4 - Infringements (General) Miscellaneous Amendment Regulations 2009

SR No. 5 – Subordinate Legislation (Liquor Control Reform Regulations 1999 – Extension of Operation) Regulations 2009

SR No. 7 – Melbourne City Link Regulations 2009

SR No. 8 – Subordinate Legislation (Road Safety (Driving Instructors) Regulations 1999 – Extension of Operation) Regulations 2009

SR No. 10 – Wildlife (Game) Amendment Regulations 2009

SR No. 11 – Unclaimed Money Regulations 2009

SR No. 12 – Residential Tenancies Amendment (Prescribed Tenancy Agreements) Regulations 2009

SR No. 13 – Police Amendment (Protective Services Officers) Regulations 2009

SR No. 16 – Drugs, Poisons and Controlled Substances Amendment Regulations 2009

SR No. 17 – Road Safety (General) and Road Safety (Road Rules) Amendment (Seatbelts) Regulations 2009

SR No. 18 – Supreme Court (Chapter III Amendment No.1) Rules 2009

SR No. 20 – Second-Hand Dealers and Pawnbrokers Amendment Regulations 2009

SR No. 21 – Subordinate Legislation (Road Safety (Vehicles) Regulations 1999 – Extension of Operation) Regulations 2009

SR No. 22 – Subordinate Legislation (Road Safety (General) Regulations 1999 – Extension of Operation) 2009

SR No. 23 – Subordinate Legislation (Road Safety (Drivers) Regulations 1999 – Extension of Operation) Regulations 2009

FINANCE AND PUBLIC ADMINISTRATION COMMITTEE

Legislative Council, Parliament House, Spring Street, Melbourne 3002

Telephone: (03) 9651 8696 Facsimile: (03) 9651 6799

Website: www.parliament.vic.gov.au/council/SCFPA/

Members:

(Council) *Mr G Barber, Ms C Broad, Mr M Guy, Mr P Hall and
Mr P Kavanagh.*

Chair: Mr Gordon Rich-Phillips

Deputy Chair: Mr Matt Viney

Secretary: Mr Richard Willis

INQUIRY INTO DEPARTMENTAL AND AGENCY PERFORMANCE AND OPERATIONS

Terms of Reference:

To inquire into and report on Victorian departmental and agency performance and operations for the previous financial year.

Substituted Members:

Mr Brian Tee for Mr Matt Viney

Activities during April 2009

- Public hearings with Victorian Skills Commission and Growth Areas Authority on 23 April 2009
- Public hearings with Victorian Funds Management Corporation on 27 April 2009.

Future Activities

- Further public hearings proposed for late 2009
- Reports on previous public hearings to be tabled.

INQUIRY INTO BUSINESS CASE FOR WATER INFRASTRUCTURE

Terms of Reference:

To inquire into and report on the estimated benefits and costs arising from the north-south pipeline, the Wonthaggi desalination plant, and the modernisation of irrigation infrastructure.

Substituted Members:

Mr Damian Drum for Mr Peter Hall
Mr Brian Tee for Mr Matt Viney

Activity during April 2009

- Consideration of public submissions (32 received in total).

Future Activity

- Public hearings proposed for late 2009

INQUIRY INTO PUBLIC HOSPITAL PERFORMANCE DATA

Terms of Reference:

To inquire into and report on the capacity of hospitals to meet demand, standards and quality of care, resourcing and access levels, and the accuracy and completeness of performance data for Victorian public hospitals.

Substituted Members:

Ms Colleen Hartland for Mr Greg Barber
Mr Brian Tee for Mr Matt Viney

Activity during April 2009

- Consideration of public submissions (47 received in total).

Future Activity

- Public hearings proposed for late 2009

TRAIN SERVICES SELECT COMMITTEE

Legislative Council, Parliament House, Spring Street, Melbourne 3002

Telephone: (03) 9651 8696 Facsimile: (03) 9651 6799

Website: www.parliament.vic.gov.au/council/trainservices/

Members:

(Council) *Mr G Barber, Mr D Drum, Ms J Huppert, Mr E O'Donohue,
Mr M Viney*

Chair: Mr Bruce Atkinson

Deputy Chair: Mr Shaun Leane

Secretary: Mr Richard Willis

INQUIRY INTO TRAIN SERVICES

Terms of Reference:

To inquire into the factors leading to and causes of failures in the provision of metropolitan and V/Line train services.

Activities during April 2009

- Public submissions invited, closing date 1 June 2009
- 3 submissions received to date

Future Activity

- Public hearings proposed for late 2009
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