



PARLIAMENTARY COMMITTEES PROGRESS ON INVESTIGATIONS

To 30 JUNE 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

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

Members:

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

(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 June 2009

- Analysis of information received via submissions and public hearings
- Drafting and discussion of the Final Report continued.

ECONOMIC DEVELOPMENT AND INFRASTRUCTURE COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

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Email: edic@parliament.vic.gov.au

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

Members:

(Council) *Mr B Atkinson, Mr D Davis and Mr B Tee*

(Assembly) *Hon C Campbell, Mr P Crisp, Mr H Lim 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.

Activities during June 2009

- Report adopted by the Committee 9 June, printed and tabled 24 June 2009
- Mail out of Final Report to stakeholders
- Updating of the Committee website as required.

Future Activities

- Mail out continued
- Liaison with stakeholders and responses to queries about the report
- Inquiry file archiving and organisation for next inquiry
- Government Response due December 2009

INQUIRY INTO THE VICTORIAN MANUFACTURING INDUSTRY

Referred by the Legislative Assembly on 9 June 2009 – for inquiry, consideration and report no later than 30 June 2010 on the state of manufacturing in Victoria – and, in particular, the Committee is requested to:

- (a) Explore the necessary criteria used by businesses to transfer offshore manufacturing to Victoria.
- (b) Identify and report on the factors which influence businesses in determining whether to manufacture in Australia or overseas including the consideration of:
 - (i) the retention of intellectual property rights;
 - (ii) maintaining consistent quality standards in line with both Federal and State laws;
 - (iii) probity matters;
 - (iv) assistance and incentives provided by governments; and
 - (v) the impact that the global deterioration in economic conditions in recent months will have on future decisions regarding manufacturing locations.

Activity during June 2009

- Advertisements calling for submissions placed in The Age, Herald Sun, The Australian, Australian Financial Review, Albury Border Mail, Ballarat Courier, Bendigo Advertiser, Latrobe Valley Express, Shepparton News, Mildura Sunraysia Daily, Warrnambool Standard and the Geelong Advertiser.

Future Activity

- Develop the stakeholder list

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.

Activity during June 2009

The Committee continued deliberations on the final report.

Future Activity

The Committee will table a final report in July 2009.

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 June 2009

The Committee had received 20 written submissions as at 30 June 2009.

Future Activity

The Committee will continue to accept written submissions and will conduct initial public hearings in July 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 June 2009

The Committee advertised the terms of reference in The Age, Herald Sun and the Department of Education and Early Childhood Development's monthly magazine, Shine. The Committee has requested that written submissions be forwarded by 31 July 2009.

Future Activity

The Committee will commence public hearings later this year.

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

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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.

Future Activity

- 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 June 2009

- Secretariat continued 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
- Committee considered initial draft chapters of report at meetings on 1, 15 and 22 June 2009.

Future Activities

- Secretariat to continue research and writing chapters of inquiry report
- Committee to consider remaining draft chapters of report at meetings on 13, 20 and 27 July 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 June 2009

- Preliminary work on inquiry commenced and briefing papers prepared for members.

Future Activities

- Advertisements seeking public submissions to inquiry placed in *The Age* and *Herald Sun* on 4 July 2009. Closing date for submissions is Monday 3 August 2009
- Private briefing on inquiry from Mr Steve Tully, Electoral Commissioner, Victorian Electoral Commission on Monday 27 July 2009
- Public hearings in the Legislative Council Committee Room, second floor, Parliament House scheduled for Tuesday 18 and Wednesday 19 August 2009.

ENVIRONMENT AND NATURAL RESOURCES COMMITTEE

Parliament House, Spring Street, East Melbourne, 3002

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

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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.

Activity during June 2009

Report tabled on 2 June containing 48 recommendations.

Future Activity

Government response due by 2 December 2009.

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 June 2009

- Background research on the approvals process for renewable energy projects in Victoria
- Due date for written submissions – 15 June. 31 submissions received to date. Late submissions are being accepted
- Briefing from the Department of Primary Industries on the terms of reference (22 June)
- Organisation of forthcoming public hearings.

Future Activities

- Public hearing on 6 July at Parliament House (1 - 3.30pm) with the Clean Energy Council, Northern Alliance for Greenhouse Action; Pacific Hydro and CitiPower and Powercor Australia to give evidence
- Public hearing on 27 July at Parliament House (1 - 4pm) with Tenax Energy, Ceramic Fuel Cells Ltd, Vestas and AGL Energy to give evidence
- Public hearings on 10 August in Melbourne and 24-25 August in Ararat.

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

Parliament House, Spring Street, East Melbourne, 3002

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

Members:

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

(Assembly) *Ms M Kairouz, 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 June 2009

- Analysis of evidence & deliberation of key themes
- Identification of further evidence required.

Future Activities

- Ongoing thematic analysis of evidence
- Drafting report.

LAW REFORM COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

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Email: VPLRC@parliament.vic.gov.au

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

Members:

(Council) *Mrs J Kronberg, Mr E O'Donohue (member until 2 June 2009),
Mr J Scheffer (member and chair 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 (member
from 30 October 2007), Mrs J Maddigan (member from 8
August 2007 until 30 October 2007), Mr T Lupton (member until
8 August 2007), Mrs Heidi Victoria (member from 4 June 2009)*

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 tabled on 2 June 2009.

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.

Activities

- The Committee tabled its final report on 6 May 2009
- The Government response is due to be tabled by 6 November 2009.

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 was tabled on 2 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 June 2009

- The Committee held a public hearing on 29 June 2009 and received evidence from the following witnesses:
 - The Hon. Jenny Lindell MP, Speaker of the Victorian Parliament
 - Mr Ray Purdey, Clerk of the Legislative Assembly and Clerk of the Parliaments, and Mr Wayne Tunnecliffe, Clerk of the Legislative Council, Parliament of Victoria
 - Professor Brian Costar and Professor Jock Given, Democratic Audit of Australia
 - Associate Professor Ken Coghill, Monash University

- Ms Anne O'Rourke, Vice-President, and Mr Jamie Gardiner, Vice-President, Liberty Victoria
- Ms Elizabeth O'Keeffe, Director, Transparency International Australia.
- The Committee accepted 20 submissions into the inquiry
- The literature review, research and study of systems in comparative parliaments continued
- The Committee is hosting a Law Foundation Legal Policy Intern, Mr Mahmud Begg, who will undertake a research project on public debate about members of parliament and ethics.

Future activity

- The Committee plans to hold further public hearings on 21 July 2009 and 17 August 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).

Activities during June 2009

- The Committee released its call for submissions on 12 June 2009
- The Committee wrote to key stakeholders advising them of the call for submissions and inviting them to make a submission
- The Committee held further preliminary meetings with key stakeholders.

OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT COMMITTEE

Parliament House, Spring Street, East Melbourne 3002

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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 June 2009

Seminar:

10 June 2009 DPI Future Farming Workshop, Koo Wee Rup

Public Hearings:

16 June 2009 Melbourne Public Hearing

Dr Martin Kent, Chief Executive - Gippsland & Southern Rural Water
Kaye Kilgour, Chair - AgriWest
Bill Earle
Graeme Smith, President - Australian Hydroponic & Greenhouse Association
Chris Williams, Manager, Treatment and Recycling
Liz Roder, Team Leader Water Recycling
Dennis Corbett, Manager Catchments - Melbourne Water

Study Tour:

17 June 2009 Sydney

Dr Frances Parker
University of Western Sydney
Lynne Saville, President
Russ Grayson, Vice President
Liz Millen, Secretary
Catriona MacMillen, Management Committee
Sydney Food Fairness Alliance
Norma Shankie-Williams, Director, Metropolitan Planning
NSW Department of Planning

18 June 2009 Sydney

Renata Brooks, Executive Director, Science & Research
Delia Dray, Director, Intensive Industries Development Agriculture & Fisheries
Bob Germaine, General Manager - Greater Western Sydney Economic
Development Board
Peter Whitehead, Business Development Officer
NSW Department of State & Regional Development

19 June 2009 Sydney

David Mason, Foundation Chair - Urban Agriculture Leader NSW DPI
Ian Knowd, Treasurer - Hawkesbury Harvest
John Maguire, Farmer
Bill Shields, Farmer
John Reynolds, Farmer - Nashdale Fruit Orchard
Eric Broken, EarthCare Centre Board Member - Ranger NPWS
Alan Eagle, Secretary - Hawkesbury Harvest
Andrew Docking, Agricultural Environment Officer, Sydney Region
NSW Department of Primary Industries
Ted Byers, Chairman, Region 7 - NSW Farmers Association
Councillor Jim Aitken, OAM, Mayor
Alan Stoneham, General Manager
Wayne Mitchell, Group Manager, Infrastructure
Ruth Goldsmith, Group Manager Leadership
Roger Nethercote, Group Manager, People and Places
Glen McCarthy - Penrith City Council

Frances Vella, Regional Service Manager
F. Pirovic

Future Activity

12-27 July 2009 Overseas Study Tour

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

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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 June 2009:

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

On 2 June, the Committee tabled its report, *Review of the findings and recommendations of the Auditor-General’s reports 2007 (Round Two)*, relating 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.

Questionnaires were sent to DEECD and DPI in relation to Priority Two audit follow up

Drafting of reports is continuing, with reports to be considered by Committee in August.

Review of the findings and recommendations of the Auditor-General's reports tabled March - June 2008 (Round Four)

A letter was sent to the Auditor-General seeking his comments regarding the prioritisation of 14 Auditor-General reports tabled between March and June 2008. Secretariat analysis of major issues has commenced.

Draft Performance Audit Specifications

The following audit specifications were considered by the Committee in June 2009:

- Maintaining the integrity and confidentiality of personal data;
- Irrigation Efficiency Systems;
- Making public transport more accessible for people who face mobility challenges;
- Vehicle Fleet Management; and
- Use of development contributions by Local Government.

Future Activities

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; and

Work will continue to prioritise audits for Committee review for Round 4.

Committee consideration of:

- Draft specifications for proposed performance audits to be conducted by the Auditor-General;
- Round 3 follow-up reports;
- Prioritisation of Round 4 audits;
- Public submissions to be invited August 2009; and
- Public hearings for priority one audits, Round 4 to be conducted September 2009.

Government response to the Committee's report on the *Review of the findings and recommendations of the Auditor-General's reports 2007 (Round Two)* is due 2 December 2009.

INQUIRY INTO A REVIEW OF THE *AUDIT ACT 1994*

Terms of Reference for this Inquiry have been agreed to by the Committee. They are:

- (a) *review in its entirety the Act and its provisions, taking into account contemporary developments and emerging issues both in Victoria and similar jurisdictions so as to further strengthen public accountability in Victoria;*
- (b) *seek public submissions and hold hearings on the review of the Act;*
- (c) *consider the views of the Auditor-General of Victoria;*
- (d) *consider the views of the Department of Premier and Cabinet and the Department of Treasury and Finance, as the appropriate central agencies of the Victorian government, on desirable reform and amendment of the Act; and*
- (e) *examine audit legislation in other jurisdictions both in Australia and overseas with a view to determining whether the legislation and practice in those jurisdictions might be relevant to review and reform the Act.*

Activities during June 2009

The Committee tabled in Parliament *Notification of a New Inquiry into Victoria's Audit Act 1994*.

The Secretariat has:

- advised the Auditor-General of the commencement of this Inquiry;
- prepared a draft scoping paper, which has been considered in principle by the Committee; and
- commenced researching audit legislation in national and international jurisdictions.

Future Activities

Revising the scoping paper following Committee feedback

Private Committee discussions to be held with DPC and DTF

Continue to research audit legislation in other jurisdictions.

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

Activities during June 2009

Final Report considered and adopted by the Committee for tabling

Report on New Directions in Accountability, Inquiry into Victoria's Public Finance Practices and Legislation was tabled 4 June 2009.

Future Activities

Government response to the Committee's Report *on New Directions in Accountability, Inquiry into Victoria's Public Finance Practices and Legislation* is due 4 December 2009

On-going discussions with DTF maintained.

INQUIRY INTO THE 2009-10 BUDGET ESTIMATES

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

Activities during June 2009:

Planning and scoping for the report on the 2009-10 Budget Estimates commenced

Committee considered and approved report scope and structure

Analysis of questionnaire responses continuing for possible clarification questions

Responses to Questions on Notice to Presiding Officers, the Premier, Treasurer and Ministers under review.

Future Activities

Preparation of clarification questions for Departments

Analysis of issues and drafting of chapters for the *Report on the 2009-10 Budget Estimates Part Two* for anticipated tabling in Parliament in October 2009.

INQUIRY INTO THE 2007-08 FINANCIAL AND PERFORMANCE OUTCOMES

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

Future Activities

Government Response to the Committee's report on *the 2007-08 Financial and Performance Outcomes* is due on 7 November 2009.

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 B Tilley, 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 June 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.

Activities during June 2009

- The Committee travelled to Adelaide and were briefed by the Centre for Automotive Safety Research - University of Adelaide, and the South Australian Government Department for Transport, Energy and Infrastructure.
- The Research Officer commenced drafting the report.

Future Activity

- Investigate undertaking briefings in Wellington, New Zealand and in Sydney.

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 June 2009

- Submissions received. The final date for submissions was 30 June 2009
- The Research Officer commenced a review of submissions and relevant literature.

Future Activities

- First public hearing in Melbourne to be held late July
- Possible briefings in Sydney and Wellington, New Zealand

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 June 2009

- Committee conducted a public hearing in Melbourne with representatives of the Department of Planning and Community Development
- Preparation of briefing papers for the Melbourne Hearing and summary of planning issues raised in submissions and transcripts
- Committee Secretariat commenced drafting Report on International Investigations
- Follow up work as a result of international investigations
- Organisation of proposed attendance at conferences on rural and regional development
- Ongoing discussion and review of 2009 timetables
- Preparation of a consultants brief.

Future activities

- Follow up work from international investigations
- Organisation and coordination of public consultation program
- Ongoing summary of submissions and transcripts of evidence
- Ongoing research including preparation of a timetable for drafting of the report
- Updating and development of website content
- Engagement of a consultant to undertake drafting of the report, and ongoing liaison
- Preparation of draft report recommendations and chapter outlines for the consideration of the Committee.

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 June 2009

Continued to mail / email the Options Paper to interested parties.

Sent notification to Business Associations, Faith-based schools, single-sex social clubs, Sporting Associations, Royal Children's Hospital and the Royal Women's Hospital of the Committee's inquiry and an invitation to participate.

Free notices concerning the inquiry appeared in:

- *Info Vic Newsletter*, June 2009, Information Victoria;
- *MAV Bulletin*, Issue 738, Municipal Association of Victoria; and
- *Small Business Victoria Update*, 1 July 2009, Business Victoria;

Reaching 31,000 individuals plus Councillors & Senior Officers of 79 Councils.

The Full Committee met on 1 and 22 June 2009, where it considered and approved:

- Annual Review 2008, Regulations 2008
- Alert Digest No. 6 of 2009
Appropriation (2009/2010) Bill 2009
Appropriation (Parliament 2009/2010) Bill 2009
Classification (Publications, Films and Computer Games) (Enforcement)
Amendment Bill 2009

Crimes Amendment (Identity Crime) Bill 2009
Crown Land Acts Amendment (Lease and Licence Terms) Bill 2009
Energy Legislation Amendment (Australian Energy Market Operator) Bill 2009
Environment Protection Amendment (Beverage Container Deposit and
Recovery Scheme) Bill 2009
Justice Legislation Amendment Bill 2009
Macedonian Orthodox Church (Victoria) Property Trust Bill 2009
State Taxation Acts Amendment Bill 2009
Superannuation Legislation Amendment Bill 2009

- Alert Digest No. 7 of 2009
Casino Legislation Amendment Bill 2009
Environment Protection Amendment (Beverage Container Deposit and
Recovery Scheme) Bill 2009
Fair Work (Commonwealth Powers) Bill 2009
Food Amendment (Regulation Reform) Bill 2009
Gambling Regulation Amendment Bill 2009
National Parks Amendment (Point Nepean) Bill 2009
Occupational Health and Safety Amendment (Employee Protection) Bill 2009
Statute Law Amendment (Charter of Human Rights and Responsibilities) Bill
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 June 2009

The Subcommittee did not meet during June.

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 June 2009

The Subcommittee did not meet during June.

FINANCE AND PUBLIC ADMINISTRATION STANDING 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.

Substituted Members:

Mr Brian Tee for Mr Matt Viney

Activities during June 2009

- Reports from hearings with Goulburn-Murray Water and Victorian Skills Commission tabled on 24 June 2009
- Analysis of questions taken on notice from hearings with Victorian Funds Management Corporation and Growth Areas Authority.

Future Activity

- Further follow-up on questions taken on notice from hearings with Victorian Funds Management Corporation and Growth Areas Authority. Reports to be tabled in due course.

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 June 2009

- Consideration of public submissions (33 received in total).

Future Activity

- Initial public hearings and site visits proposed for 20-21 August 2009 focussing on north-east Victorian water infrastructure projects.

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 June 2009

- Consideration of public submissions (48 received in total).

Future Activity

- Initial public hearings proposed for 17-18 August 2009 at Parliament House.

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.

Activity during June 2009

- Consideration of public submissions (36 received).

Future Activity

- Initial public hearings with the Department of Transport and Connex Melbourne (Veolia Transport) proposed for 21 July 2009.
 - Written submissions from Department of Transport and Connex due 15 July.
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