

ABSENCE OF MINISTER

Tuesday, 5 September 1995

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The **SPEAKER** (Hon. J. E. Delzoppo) took the chair at 2.07 p.m. and read the prayer.

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The **SPEAKER** — Order! I advise the house that the Leader of the House, the Minister for Industry and Employment, will be absent this week and that the Minister for Agriculture will be Acting Leader of the House.

I further advise the house that I have given permission for several newspaper photographers to take still photographs of the Treasurer delivering his budget speech.

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Health and community services: budget savings

Mr BRUMBY (Leader of the Opposition) — I refer the Minister for Community Services to comments by the Premier last week that the government planned to cut spending by a further \$600 million. Can the minister provide details of how his department will meet its share of spending cuts without job losses and without any reduction in child protection services?

Mr JOHN (Minister for Community Services) — The question is typical of the approach of the Leader of the Opposition to the government. He lacks leadership and he lacks relevancy.

Every year the Department of Health and Community Services spends \$780 million caring for people in need — which is very much the human side of government. The Premier made it clear that savings would be made through technology and by achieving a better way of doing things. He also said that services would not be reduced.

The question mentions child protection. Victoria has the best child protection system in Australia. The government has increased spending in this area by 25 to 30 per cent and is spending more per capita than any other state in the commonwealth. Victoria has the highest number of child protection officers,

yet this man has the temerity to make trite remarks like the one we have just heard! The government spends \$120 million a year on child protection. It has not made any cuts; it has increased the budget. We are constantly monitoring the position because we care about children. We are not embarking on cheap political shots, as is the Leader of the Opposition.

Electricity industry: New South Wales

Mr JENKINS (Ballarat West) — Will the Treasurer inform the house of the implications for Victoria's electricity industry of the decision of the New South Wales government to break up Pacific Power?

Mr STOCKDALE (Treasurer) — I congratulate the Carr government: it has shown that if you do your homework on an issue, rigorously analyse it and rely on recruiting good people to conduct your investigation, you will reach the right decision in the interests of consumers and of complementing national policy.

Despite our political differences, and despite the difficulty of the decision in the light of vested union interests and the well-known position of the management and previous executives of Pacific Power, the Carr government has adopted what is essentially the Victorian approach to the generation of competition. The decision of the New South Wales government represents a resounding endorsement of the electricity industry model developed by the Victorian government.

The decision also leaves the Victorian branch of the Australian Labor Party totally — I am sorry, I take that back. The decision leaves the Victorian branch of the ALP almost totally isolated, even among Labor governments, in having opposed the introduction of competition in the electricity industry. I had to correct myself because it is not literally correct that the Victorian branch of the ALP is alone. I hesitate to blaspheme in Parliament, but I have to acknowledge that it is in the company of Kenneth Davidson — Kenneth Davidson and the Victorian rump of the ALP are alone in the world in opposing the introduction of competition.

The development of a competitive electricity industry is a major priority for Australia; low-cost energy is one of our major international comparative advantages. Despite developments in New South Wales, nothing could be more important for Victoria than to be at the forefront of the movement toward the development of that competitive industry. It is

important to know that when the Australian Labor Party takes on the responsibility of office, whether in Canberra or Sydney, it does its homework, examines the issues and comes to the same conclusions we reached in Victoria.

From time to time we hear objections from the Leader of the Opposition that New South Wales is not privatising its electricity industry. That is certainly true: even in its announcement the New South Wales government indicated it did not propose to privatise. But I think history will show that it has taken the first step that will inexorably lead to its replicating the Victorian reforms, not just in the structure of the industry or in the creation of competitive markets but in recognising that in the final analysis if the government owns and the taxpayer stands behind all the allegedly competitive corporatised organisations you cannot have real competition and benefits will not necessarily flow to consumers.

It is not even true to say that the longer standing Labor government in Canberra opposes privatisation. Not only has it explicitly supported the policies of the Victorian government and held them out as a model for the rest of Australia, not only has it played the leading part in pushing the Hilmer reforms through the Council of Australian Governments, it has a massive privatisation program of its own.

Despite the fact that the Leader of the Opposition tried to talk his federal colleagues at the ALP conference out of it, the federal government has indicated it is proceeding with privatisation of the Commonwealth Bank, Qantas, the Commonwealth Serum Laboratories, AUSSAT and numerous other government-owned entities. I am sure that in the fullness of time, once a fully corporatised model has been established in New South Wales, the New South Wales people will also recognise the advantages of privatisation.

I noted with interest this morning the endorsement in the editorial of the *Australian Financial Review* of the Carr government's decision: it acknowledged that it involved some risks for New South Wales, but said it was the secret to the long-term economic benefit of the state. It is also of interest to note how the mantle of office can have a profound effect on people as eminent as the Governor-General. An article published in today's *Australian* quotes the Governor-General as stating:

I progressively discovered that we politicians — irrespective of our party labels — were not all that good at administering business enterprises. That instead of risking other people's scarce capital in such things it was better to adopt a 'no lose' position; let the private investors take the risk.

I do not know whether Mr Hayden is on the road to Damascus, but he has certainly seen the light!

Education: budget savings

Mr SANDON (Carrum) — I refer the Minister for Education to the Premier's comments last week when he proposed funding cuts of some \$600 million and ask: is it not a fact that education spending cuts can be achieved only by cutting payments to schools or by slashing teacher numbers? Under those circumstances can the minister say whether he is supporting or opposing spending cut proposals in education?

Mr HAYWARD (Minister for Education) — I thank the honourable member for Carrum for his question; it is another in the long line of dorothy dixers he bowls up again and again. I have been waiting eagerly to get back to Parliament to get more of these lovely questions from the honourable member.

I am happy to inform the house that the budget to be delivered this afternoon contains good news for education. As you know, Mr Speaker, the government is committed to giving students the best chance for the future. Of course the government will continue to work smarter and attempt to make savings in the bureaucracy; but, as honourable members will see this afternoon, there are no plans in the budget to cut funding to schools.

Rail: Werribee derailment

Mrs HENDERSON (Geelong) — Will the Minister for Public Transport advise the house what steps have been taken to investigate the train derailment at Werribee on Saturday night?

Mr BROWN (Minister for Public Transport) — On Saturday, 2 September at 7.05 p.m. all the carriages of the 6.35 p.m. Melbourne-Warrnambool West Coast Railway passenger train derailed behind the locomotive in the vicinity of the Werribee Street level crossing. The locomotive itself did not derail. The derailed carriages struck and dislodged a signal gantry which fell onto a stationary motor vehicle at the level crossing. Tragically the driver, Mrs Robyn

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Phillpott, was fatally injured. Her 12-year-old daughter and 6-year-old son sustained minor injuries. I know all honourable members will join with me in expressing deepest condolences to Mr Phillpott, the children and other family members at this sad time.

A number of factors combined to make the accident a million-to-one tragedy. I am most thankful that none of the train's passengers was killed or seriously injured. Following the derailment of the bogey of the front carriage and the remaining carriages, the train came to a stop beyond the level crossing. Notwithstanding damage to 600 metres of track, due to the strength of the carriages and the fact that they remained coupled together, the train stayed intact and upright.

I place on record my thanks and appreciation for the efforts and cooperation of the Victoria Police, ambulance and fire officers, the State Emergency Service and other emergency services and volunteer agencies, as well as the staff of the PTC and West Coast Rail and those members of the public who all helped at the scene of this tragedy to assist, treat and comfort passengers. I visited the site on Sunday, and I thank the railway staff and the many contractors who were working hard to clear the scene and repair the track to restore normal services at the earliest possible time.

The cause of the derailment is not yet known and it may take some weeks to determine. Detailed scientific analysis and reconstruction of the damaged components is required. However, there is no evidence at this stage to suggest track, signalling operations or maintenance faults. The leading carriage under which the rear bogey was the first item to derail was on short-term lease to West Coast Rail from the PTC. Three weeks ago as part of normal rail maintenance procedures that same carriage had its wheels inspected and reprofiled on the underfloor wheel lathe at the Newport workshops.

Today I announced the appointment of a board of inquiry to be chaired independently by Mr Kevin Mason. Mr Mason is a retired magistrate; he was appointed a magistrate in 1973 and was the city coroner between 1979 and 1983. He was also appointed by the former Labor government to undertake an independent review of safe working procedures for rail within the PTC. Mr Mason is a man of impeccable integrity and vast experience. It is with that background that Mr Mason and the board of inquiry will conduct a thorough

investigation into the cause of the derailment. In the meantime I caution against speculation about the cause of this tragic accident.

All aspects of this tragedy will be fully investigated by the properly constituted board of inquiry. Honourable members will appreciate that, because the accident involved the death of Mrs Robyn Phillpott, a separate coronial inquiry is being conducted.

I assure the house the government will take the recommendations from those inquiries with the utmost seriousness because of its commitment to safety and the integrity of Victoria's public transport system.

Government departments: budget savings

Mr BRUMBY (Leader of the Opposition) — I refer the Premier to his comments of last Friday when he said he had instructed senior public servants in all departments to find \$600 million in new spending cuts. I ask the Premier: with which ministers did he consult prior to making that announcement; in providing the information will department heads report directly to the Premier or through their ministers; and what is the time line for that to occur?

Mr KENNETT (Premier) — I thank the Leader of the Opposition for his question which illustrates clearly what a difficult position the opposition — particularly its leader — is in when on the one hand it continues to argue publicly that taxation levels in this state are too high while on the other hand it opposes any measures to reduce it without putting at risk the maintenance of a balanced or, more importantly, a surplus position on our current account.

The Leader of the Opposition cannot have it both ways! He cannot argue for lower taxation and then not be prepared to show the leadership required to indicate not only to his own backbench but also to the public that he has the intellectual capacity to drive the machine forward!

The question also illustrates the fact that the Leader of the Opposition has no concept of what leadership is about or how government works. That is understandable given that he spent his life in the federal arena on the back bench, lost his seat and came here as a reject and through a window of opportunity ended up the Leader of the Opposition!

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One of my responsibilities as Premier is to work with a range —

Mr Sandon interjected.

Mr KENNETT — You have had a bad week. You have had about four months to do a bit of work to come here with piercing questions — yet you asked my colleague a dorothea dixer! Your heart was not in it. You are hopeless. You ought to get Bill Landeryou back to tell you how to ask questions! You have had four months. Look at them — what a pack of losers!

The SPEAKER — Order! I ask the Premier to return to the question.

Mr Micallef interjected.

Mr KENNETT — It's all right, Mr Speaker, Eddie is now awake!

One of the responsibilities of leadership — as well as applying to a government it should also apply to an opposition, but it does not — is to understand the fragility of the position Victoria is still in. As honourable members know, when we came to office we inherited a \$2.2 billion deficit on our current account. Today the Treasurer will tell the house how we have turned it around to a significant surplus one year ahead of time. That has not been easy, but it has been right and responsible. That achieves only the first step in a range of initiatives necessary to reposition Victoria for the 21st century.

As I have often said in the past, after a recession Australian communities quickly tend to become complacent. The very fact that we have achieved a surplus on our current account should not in any way lull Victorians into a feeling that the job is completed. In particular, we have to lower business taxes because we agree that if we get business taxes down we can employ more people.

Until last week the Leader of the Opposition was at the forefront of criticising this government for having taxes and charges at the level necessary to get us out of deficit and back into surplus.

Mr Brumby interjected.

Mr KENNETT — That is what he said. The trouble with the Leader of the Opposition —

The SPEAKER — Order! The discussion across the table is disorderly. I ask the Leader of the

Opposition to remain silent and the Premier to finish his answer.

Mr KENNETT — Until last Friday the Leader of the Opposition was arguing that taxation should come down.

Mr Batchelor — On a point of order, Mr Speaker, the Premier is deliberately evading the question. I know the question of relevance is difficult for the Chair to deal with, but it cannot be used as a technique by the Premier or other ministers to evade questions. The core of the question related to procedures underway within the various departments. I will read it again for the Premier so he can direct his attention to the question, because he is clearly evading it.

The Leader of the Opposition referred the Premier to his comments on Friday when the Premier said he had instructed senior public servants in all departments to find \$600 million in new spending cuts. The Leader of the Opposition asked the Premier with which ministers he consulted, whether department heads would report directly to the Premier or through ministers and what was the time line for that to occur. Please answer that!

Mr KENNETT — On the point of order, Mr Speaker, I think the Leader of the Opposition was talking about the procedures in place. One of the obvious parts of this answer must be what we have achieved in getting ourselves to the position where we are back in surplus and how that relates to the ongoing functions of government because part of the question related —

Mr Batchelor — No-one agrees with you.

Mr KENNETT — They are waiting for the answer, but you keep interrupting! Part of the question related to the procedures of public servants. I was about to explain clearly how government works not only in relation to ministers but also to senior public servants. That will give the Leader of the Opposition all the answers he wants if he is prepared to be a little more patient.

The SPEAKER — Order! I do not uphold the point of order.

Mr KENNETT — Whether in government or in opposition a leader should work in two areas. The first is about making sure that he works with his colleagues in driving government policy. Over the past two and a half years the government, including

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its backbench, has driven government policy in a way that will deliver better financial outputs. But when the Labor Party was in office, particularly when the honourable member for Northcote was Treasurer, it set several objectives which were dumped and which led to our downgrading.

The second thing a leader must do is to work with senior public servants. I continually meet with all the first-band public servants — that is, secretaries of departments — who are constantly briefed on government policy and on what is expected of them. I assure the house that the government and senior public servants are committed in a way the Labor government never was to driving reforms throughout Victoria, because unless we reduce government expenditure by about \$300 million we will not be able to deliver the next tranche of tax cuts.

The government has decided that tax cuts for business are required because it wants business to grow and thus provide more employment opportunities. The equation is not unusual: \$300 million is the trigger point for the next round of tax cuts. Again, it is not good enough to work to the lowest common denominator, which the Labor Party always does. The government is trying to identify savings in government expenditure of between \$500 million and \$600 million.

Mr Batchelor — They are all stunned.

Honourable members interjecting.

Mr KENNETT — Anyone observing the operation of Parliament can see why the opposition has no credibility. You are not serious; you have no intellectual capacity to address the challenges of the state.

Honourable members interjecting.

The SPEAKER — Order! The Chair has been very tolerant. I ask the house to come to order and to cease interjections.

Mr KENNETT — The first tranche of money we need to deliver tax cuts, which the opposition was looking for up until only last Friday, is \$300 million — but we are not satisfied with that. The government has set a savings objective of \$500 million to \$600 million. I have asked the cabinet and senior public servants to try to pinpoint a target figure the government can aim for to continue to grow the state. An important part of good

management involves not just setting objectives but setting objectives that are not easy to reach.

Mr Baker interjected.

Mr KENNETT — If the honourable member for Sunshine had been half as good as any of my ministers he might have still been in government — and, more importantly, he might have been on the front bench.

Mr Baker interjected.

The SPEAKER — Order! I warn the honourable member for Sunshine that his interjections are disorderly. I ask him to come to order.

Mr KENNETT — The government has set itself a target that it hopes to reach as fast as it can over the coming period to deliver tax cuts to the people of Victoria. Not only will cabinet be working towards that end — —

Mr Brumby — On a point of order, Mr Speaker, you have directed the Premier and other ministers to answer questions. I specifically asked the Premier to outline the time lines for this process. The Premier has told the house about cuts of \$600 million, but I ask him to answer the question and to outline to the house and the Parliament the time lines for the cuts.

The SPEAKER — Order! The Chair has a responsibility to see that the answers to questions are relevant. At this point I judge the answer to be relevant. There is no point of order.

Mr KENNETT — We have seen another illustration of the Leader of the Opposition's failure to understand the important issues. The government has set in train a process involving government ministers and bureaucrats to try to identify further savings to produce tax cuts and more employment opportunities. We will do that as quickly as we can, but there is no time frame as such for achieving the tax cuts today or tomorrow. If the Leader of the Opposition looked at the reports and quotes by the Treasurer or me he would recognise that the — —

Mr Sandon interjected.

Mr KENNETT — You would have to be the greatest failure! If the Leader of the Opposition referred to any of the documents that have been published he would see that it is the government's objective to deliver substantial tax cuts during the government's second Parliament. In other words, it

is a second time frame objective. Just as we have corrected the unfunded liabilities of the previous government's workers compensation scheme and reduced premiums from 3.3 per cent to 1.8 per cent, if we can produce tax cuts for business we will obviously do so — but that requires further savings right across the board.

The Leader of the Opposition and the opposition are bereft of policy initiatives. They still live in the era they were in when they were in government. The previous government had no credibility among its peers and was ultimately judged by the community for failing to manage the public's assets.

The government, together with the bureaucracy, will continue to manage the state well. Evidence of that will be seen shortly when the Treasurer delivers the official record of one of the most successful years of public administration anywhere in the country since the Second World War.

Keys to Life program

Mr McLELLAN (Frankston East) — Will the Minister for Education inform the house of the community's response to the government's Keys to Life initiative?

Mr HAYWARD (Minister for Education) — I thank the honourable member for his question and for the fine work he is doing for the schools in his electorate. He is an excellent advocate for schools in his electorate, which he represents well.

I can report to the house that there has been an excellent response from parents, teachers and school principals to the Keys to Life program. I was able to announce the Keys to Life program at a recent forum of primary principals, and the response was outstanding. Since then I have had the opportunity of visiting a number of schools and have been able to speak with principals, teachers and parents, who have shown considerable interest in and support for the program. As evidence of that the education line has received more than 1000 telephone calls from parents seeking information about the program.

The Keys to Life initiative is a \$52 million literacy program that has been two years in the making and has involved extensive research and consultation with teachers. Essentially, the initiative is a product of the work of teachers. The Keys to Life program reflects the great importance of literacy. Literacy is a key concern in the education of all students. It is essential that in the first two or three years of

schooling children get a strong grounding in literacy. If they do not, not only does it impede students' education from then on but it also has significant psychological effects.

In the 10 years under Labor unfortunately literacy in our schools went into a dive. Labor was not interested in literacy; it was interested only in social engineering. That is a fact. Honourable members can refer to the speeches of previous education ministers — for example, Mrs Kirner — who said they saw education as essentially a social engineering tool. That was reflected in the VCE. The Labor Party was preoccupied with the VCE because it saw it as a vehicle for social engineering. In the process it caused enormous damage to senior school students.

This government has been able to reform the VCE. The focus of the Keys to Life program is on each child's achieving the appropriate level of literacy under the curriculum and standards framework. The curriculum and standards framework, an important government initiative, has attracted worldwide interest and acclaim. It sets out the general direction for curriculum but, importantly, also establishes what a student is expected to know at the various stages of learning. It is important that the child achieves at least the standard of literacy set by the curriculum and standards framework, and preferably better.

In this process assessment is important. Again the Labor Party does not agree with this approach. It is out of touch with the world. It has turned its back on assessment, although that is what parents want and that is what the world is looking for. For example, Mr Tony Blair is strong on assessment. Members of the Labor Party probably have not heard of him because they are so out of touch with the world. He is the Leader of the Opposition in the United Kingdom. Labor governments in New South Wales and Queensland are also strong on assessment.

I have given a commitment that each student will be properly assessed and a written report will be provided to parents twice a year, together with an interview with the teacher. That is important because it provides a basis for the learning improvement plan for each student. Parents and teachers will work together on the learning improvement plan to ensure that each child achieves or exceeds her or his appropriate level of literacy.

The Keys to Life program has a range of different ingredients. These are and will continue to be the

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product of extensive consultation with teachers. For example, there is the concept of a stronger and more structured classroom literacy program, for which there are a number of models. One is the highly successful Success for All program, of which teachers are supportive.

Another element in the Keys to Life program is the expanded Reading Recovery program. Mr Speaker, I am sure that during visits to primary schools in your electorate — and I have accompanied you on some of those visits — you would have become aware of this excellent program, which provides one-to-one tuition for students who need further literacy support. That program will be expanded.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Yan Yean and some of his colleagues are incessantly interjecting. I ask them to come to order. I ask the minister to conclude his answer.

Mr HAYWARD — I hope it is on record that the honourable member has spoken in such derogatory terms of the fine work of teachers in the area of literacy. Opposition members do not respect teachers.

Another element of the program is parent participation, which is critical to improving the literacy of students. A great deal of evidence shows that if a parent takes an interest in a student's literacy it enables the student to move ahead at a faster rate. Another new element is the new Young Graduate Recruitment program. That will be valuable to schools and teachers, and teachers have welcomed that initiative.

Another important element is teacher professional development. Some \$8.5 million has been allocated to the Teacher Personal Professional Development program, a program that will be extremely helpful to teachers. I congratulate our outstanding, professional and committed teachers. Victoria has some of the best teachers in Australia; I would go so far as to say it has some of the best teachers in the world. The Labor Party does not believe that, but we do. I congratulate our wonderful teachers on their excellent contribution to the development of this program. I look forward to continuing to work closely with those professional teachers so that this program can be developed further in the interests of students. Again the Labor Party does not agree with that approach.

Health and community services: budget savings

Mr THWAITES (Albert Park) — I refer the Minister for Health to the Premier's comments on Friday — —

Government members interjecting.

The SPEAKER — Order! I ask the government benches to come to order. The honourable member for Albert Park is entitled to ask a question.

Mr THWAITES — I refer the Minister for Health to the Premier's comments on Friday. He said he had instructed senior public servants in all departments to find \$600 million in new spending cuts after the budget. What discussions has the minister had with senior public servants in her department about the size of these cuts and where the cuts could be made, and what instructions has she given concerning how they are to implement the Premier's budget cuts?

Mrs TEHAN (Minister for Health) — One of the proudest moments of my term as a minister in this government will be in the next half hour when the Treasurer delivers his statement, indicating that for the first time on record this state has a surplus on the current account.

There is no doubt that senior public servants, including senior public servants in the Department of Health and Community Services, have contributed significantly to this remarkable turnaround in the state's current account. This has been done at the same time as over 100 000 more patients have been treated each year in our public hospital system. The way in which mental health is organised has changed dramatically. The government has brought about remarkable improvements through a range of public health measures. Based on any criteria, public servants in this state should be duly proud.

As the Premier has said, they are similarly supportive of our continuing to look to providing services of a high quality but at a lower unit cost by working smarter, working better, organising things more appropriately and taking advantage of the remarkable advances in technology that are now part of the public sector provision of services.

The honourable member for Albert Park need look only at the budget that will be presented in the next few minutes to see there are additional resources for

the ongoing provision of quality services in this state, but at the same time Department of Health and Community Services public servants and I will continue the drive to find more efficient and cost effective ways of providing services through our department.

Legal profession: reform

Mr RYAN (Gippsland South) — Will the Attorney-General inform the house of the progress of the government's reforms of the legal profession?

Mrs WADE (Attorney-General) — One would have to say that reform of the legal profession both in Victoria and elsewhere has been some time coming. We have had numerous reports from throughout Australia on the reform of the legal profession. I shall not attempt to go through them all, but I mention that we had a report from the Trade Practices Commission which indicated that there was significant scope for the reform of the legal profession. We have had the *Access to Justice* report, the Sackville report — of course, I refer to Mr Ronald Sackville, who is now a judge of the Federal Court — and some of the proposals we are putting forward for reform of the legal profession in Victoria are in line with the reforms proposed in the Sackville report. They are not the only reports that have been produced.

During the period of the Labor government we had discussion papers and reports from the Victorian Law Reform Commission. My predecessors, the Honourable Andrew McCutcheon and the Honourable Jim Kennan, were both well aware that reform of the legal profession was needed, but they also knew that the reform would result in considerable attacks by the legal profession on the person or government undertaking it.

It is a pity the opposition does not appear to be interested in this subject. To use the Premier's statesperson-like language, those Attorneys-General were not prepared to drive reform in this area — I would prefer to say that they chickened out!

This government is made of sterner stuff. Last year I released a discussion paper called *Reforming the legal profession: agenda for change*. That has resulted in a large number of submissions being received from members of the legal profession, members of the general public and other interest groups. Those submissions, together with the discussion paper, have been considered by a working party which I established.

There has been strong public support for increased accountability in the legal profession together with the retention of the independence of the profession. This process has taken longer than I hoped. The issues are extremely complex and the working party has had to research all those issues fully. The working party consisted of the honourable members for Berwick, Gippsland South and Box Hill, and the Honourable James Guest from another place, together with officers from three different departments and two people with experience in the business world — Mr Ian Roach, the former chairman of the stock exchange, and Mr Paul Ramler, who has a very successful furniture manufacturing business. Those businessmen are interested in this reform because they both have ongoing experience of dealing with the legal profession.

The working party has now produced a detailed report and I advise the house that the report, which is currently being printed, will be released tomorrow morning. Once we have received responses to that report we will be in a position to complete legislation that will become the new Legal Practice Act and will replace the existing Legal Profession Practice Act. I trust we will have the support of the opposition, although I have to say after observing my opposite number, the honourable member for Footscray, that I have wondered in recent times whether the Labor Party is moving away from looking after the underprivileged worker and moving more in the direction of trying to look after the disgruntled yuppie.

PETITIONS

The Clerk — I have received the following petitions for presentation to Parliament:

Housing estate, North Melbourne

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria calls for the continued operation of the recreation rooms on the ministry of housing estate at 159 Melrose Street, North Melbourne, and also that facilities be retained.

Your petitioners therefore pray that the site and building be retained, maintained and regularly upgraded for the recreational activities and use of the tenants of the estate.

And your petitioners, as in duty bound, will ever pray.

By Mr Cole (44 signatures)

Protection of human life

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The petition of the undersigned citizens of the state of Victoria respectfully sheweth:

that human life be protected at all stages of its existence — from fertilisation till natural death; and

that Victoria's laws protecting human life be enforced and that patient care, not patient killing, be promoted.

And your petitioners, as in duty bound, will ever pray.

By Mr Tanner (28 signatures)

Homeowner/occupier protection

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of Victorian Country Combined Pensioners Association Incorporated and the undersigned citizens of the state of Victoria sheweth:

1. A felon or intruder entering a house illegally should not be able to sue for damages received to themselves.
2. If an intruder or intruders die or dies from injuries received in the illegal entry, the occupier should not be charged with murder or manslaughter.

Your petitioners therefore pray that the government see fit to change the law to protect the homeowner or occupier as the innocent.

And your petitioners, as in duty bound, will ever pray.

By Mr Spry (372 signatures)

Warrandyte police residence

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that the police residence in Yarra Street, Warrandyte, adjoining the Warrandyte police station is to be sold or demolished.

Your petitioners therefore pray that the house not be sold so that the 50-year tradition to this day in 1995 of the senior police officer's presence at night and on weekends in Warrandyte is upheld. The residence of the police in the area gives a sense of security to local people and has continuously fostered a relationship with local community groups.

And your petitioners, as in duty bound, will ever pray.

By Mr Honeywood (1569 signatures)

Privatisation

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that we oppose in the strongest possible terms the selling off of the SECV, Melbourne Water and the Gas and Fuel Corporation by the Victorian government.

Your humble petitioners therefore pray that the state government immediately abandon its privatisation campaign and ensure that these services stay in Victorian hands.

And your petitioners, as in duty bound, will ever pray.

By Ms Garbutt (1207 signatures)

Latrobe Valley hospital amalgamation

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned concerned citizens of the Latrobe Valley in the state of Victoria sheweth that the people are dissatisfied with the lack of consultation in the decision to close our two local hospitals and build a new, smaller hospital at another site yet to be decided at a cost of some \$30 million.

Your petitioners therefore pray that the Parliament will see fit to rescind the decision to amalgamate the two hospitals and that the Treasurer will agree to meet with a deputation to discuss the reversal of the present closure decision and restoration of the two existing hospitals to their local communities by whom they are sorely needed. This petition also requests that, in order to improve viability of the two hospitals, adequate funding be allocated and the existing board be removed and replaced with individual boards drawn from the local communities.

And your petitioners, as in duty bound, will ever pray.

By Mr Hamilton (1187 signatures)

Laid on table.

Ordered that petition tabled by honourable member for Warrandyte be considered next day on motion of Mr HAERMAYER (Yan Yean).

NATIONAL ROAD TRAUMA ADVISORY COUNCIL

Mr BROWN (Minister for Public Transport) presented report for period ended 30 June 1994.

Laid on table.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 9

Mr PERTON (Doncaster) presented *Alert Digest* No. 9 of 1995 on:

Drugs, Poisons and Controlled Substances
(Amendment) Bill

Extractive Industries Development Bill

Road Transport Charges (Victoria) Bill

Stamps (Further Amendment) Bill

University Acts (Further Amendment) Bill

Health Services (Metropolitan Hospitals) Bill

Infertility Treatment Bill

Business Franchise (Tobacco) (Amendment) Bill

Public Transport Competition Bill

together with appendix.

Laid on table.

Ordered to be printed.

PUBLIC BODIES REVIEW COMMITTEE

Liquor Licensing Commission

Mr COOPER (Mornington) presented report on inquiry into Liquor Licensing Commission together with appendices and minutes of evidence.

Laid on table.

Ordered that report and appendices be printed.

BLF CUSTODIAN

The SPEAKER presented 32nd report given to him pursuant to section 7A of BLF (De-recognition) Act 1985 by the Custodian appointed under section 7(1) of that act.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Border Groundwater Agreement Review Committee — Report for the year 1993-94

Constitution Act Amendment Act 1958 — Report on the Williamstown District By-Election, 13 August 1994

Constitution Act Amendment Act 1958 — Statement of functions conferred on the Electoral Commissioner, 30 May 1995 and 25 July 1995 (two papers)

Crown Land (Reserves) Act 1978 — Order pursuant to sections 17B, 17D and 17DA giving approval to the granting of a lease and a licence

Education Act 1958 — Ministerial Orders Nos 1 and 2 — Discipline of Pupils (two papers)

Flora and Fauna Guarantee Act 1988 — Orders in Council adding items to Schedule 3 — list of potentially threatening processes (two papers)

Goulburn Valley Region Water Authority — Report for the year 1993-94, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefor

Interpretation of Legislation Act 1984 —

Notice under section 32(3)(a) in relation to Statutory Rule No. 63/1995

Notice under section 32(4)(a) in relation to
Statutory Rule No. 119/1992

Kyabram Town Council Water and Wastewater
Functions — Report for the year 1993-94, together with
notification from the Minister for Natural Resources of
the failure to submit the annual report and the reasons
therefor

Loddon-Campaspe Regional Planning Authority —
Report for the year ended 30 September 1993

Planning and Environment Act 1987 — Notices of
approval of amendments to the following Planning
Schemes:

All Planning Schemes — Nos S40, S43, S46, S47,
S49, S50, SL1, SR3, SRL1

Ararat Planning Scheme — No. L1

Bacchus Marsh Planning Scheme — Nos L42, L44

Bairnsdale (Shire) Planning Scheme — Nos L52,
L53

Ballaarat City Planning Scheme — Nos L55, L56,
L62

Bannockburn Planning Scheme — Nos R21, R23

Bass Planning Scheme — No. L33

Berwick Planning Scheme — No. L84

Bright Planning Scheme — No. L39

Broadmeadows Planning Scheme — No. L68

Bulla Planning Scheme — Nos L79, L91, L96, L98,
L103, L104, L112

Buln Buln Planning Scheme — No. L40

Camberwell Planning Scheme — No. L45

Campaspe Shire Planning Scheme Amalgamation
Amendment

Caulfield Planning Scheme — No. L34

Central Goldfields Shire Planning Scheme
Amalgamation Amendment

Charlton Planning Scheme — No. L4

Colac-Otway Planning Scheme — No. L1

Cranbourne Planning Scheme — Nos L94, L114,
L116, L127, L144

Croydon Planning Scheme — Nos L63, L66 Part 1,
L67

Dandenong Planning Scheme — No. L28 Part 2

Daylesford and Glenlyon Planning Scheme — No.
L14

Deakin Planning Scheme — Nos L36, L38

Doncaster and Templestowe Planning Scheme —
Nos L61, L62, L73 Part 2, L86, L87

Essendon Planning Scheme — No. L64

Fitzroy Planning Scheme — No. L38

Footscray Planning Scheme — No. L51

Frankston Planning Scheme — Nos L59, L67

Greater Bendigo Planning Scheme — Nos L18,
L25, L30, L31, L32

Greater Geelong Planning Scheme — Nos R107,
R115 Part 1, R118 Part 1, RL83, RL87, RL105 Part
A, RL114, RL117, RL119, RL127

Grenville Planning Scheme — No. L15

Hastings Planning Scheme — Nos L60, L69, L81,
L97, L100

Hawthorn Planning Scheme — Nos L34, L35

Healesville Planning Scheme — Nos L48 Part 1
and Part 2, L56, R14

Horsham (Rural City) Planning Scheme — No. L4
Part 1

Keilor Planning Scheme — Nos L87, L94

Kerang Borough Planning Scheme — No. L4 Part 2

Knox Planning Scheme — Nos L92, L93

Korumburra Planning Scheme — No. L62

Lillydale Planning Scheme — Nos L106, L126,
L146, L153, R14

Macedon Ranges Planning Scheme — No. L25

Macedon Ranges Shire Planning Scheme
Amalgamation Amendment

Maifra Planning Scheme — No. L28

Malvern Planning Scheme — Nos L31, L36

Maribyrnong Planning Scheme Amalgamation
Amendment

Melbourne Planning Scheme — Nos L158, L168,
L178, L190, L192, L194

Melton Planning Scheme — Nos L49, L59

Metropolitan Region Planning Schemes — No.
RL163

Milawa Planning Scheme — Nos L1, L16

Milawa Planning Scheme Amalgamation
Amendment

Mildura City Planning Scheme — Nos L48, L54

Mitchell Planning Scheme — Nos L7 Part 1, L84
 Mitchell Shire Planning Scheme Amalgamation Amendment
 Moe Planning Scheme — Nos L32, L34
 Moira Planning Scheme Amalgamation Amendment
 Moorabbin Planning Scheme — Nos L41, L50, L53
 Moreland Planning Scheme — Nos L3, L4, L8, L9
 Mornington Planning Scheme — No. L54
 Morwell Planning Scheme — No. L41 Part A
 Northcote Planning Scheme — Nos L36, L37
 Nunawading Planning Scheme — Nos L78, L81
 Pakenham Planning Scheme — Nos L42, L100, L105, L110, L112
 Phillip Island Planning Scheme — No. L60
 Port Melbourne Planning Scheme — No. L19
 Prahran Planning Scheme — Nos L52, L58 Part 1, L60, L65
 Preston Planning Scheme — No. L57
 Rochester Planning Scheme — No. L13
 Rodney Planning Scheme — Nos L69, L79
 Rosedale Planning Scheme — Nos L44, L46
 Sale Planning Scheme — No. L28
 Sandringham Planning Scheme — No. L16
 Shepparton City Planning Scheme — No. L55
 Sherbrooke Planning Scheme — Nos L81, L89, L90, L91, R14
 South Melbourne Planning Scheme — Nos L59, L101, L105
 Southern Grampians Planning Scheme Amalgamation Amendment
 Springvale Planning Scheme — No. L85
 Stawell (Shire) Planning Scheme — No. L20
 Sunshine Planning Scheme — Nos L72, L79, L87
 Swan Hill Shire Planning Scheme — No. L19
 Traralgon (City) Planning Scheme — No. L58
 Upper Yarra Planning Scheme — Nos L35, L39, L43, L46, R14
 Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan — Amendment Nos 63, 73, 75, 78, 79, 80

Warragul Planning Scheme — No. L33
 Warmambool Planning Scheme — Nos L4, L5, L6
 Waverley Planning Scheme — No. L53
 Werribee Planning Scheme — Nos L67, L80, L81, L85, L86
 Whittlesea Planning Scheme — Nos L84 Part 2, L110, L114
 Wycheproof Planning Scheme — No. L4
 Project Development and Construction Management Act 1994 —
 Nomination Orders pursuant to section 6 (two papers)
 Application Orders pursuant to section 8 (two papers)
 Queen Victoria Medical Centre (Guarantees) Act 1982 — Notice pursuant to section 6
 Rural Finance Act 1988 — Variation of direction by the Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance for persons affected by potential drought conditions in Victoria
 State Superannuation Fund — Report of the Actuarial Investigation as at 30 June 1994
 Statutory Rules under the following Acts:
 Administration and Probate Act 1958 — S.R. No. 91
 Adoption Act 1984 — S.R. No. 68
 Aerial Spraying Control Act 1966 — S.R. No. 62
 Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — S.R. No. 90
 Audit Act 1994 — S.R. No. 78
 Business Franchise (Tobacco) Act 1974 — S.R. No. 102
 Children and Young Persons Act 1989 — S.R. No. 92
 Chiropractors and Osteopaths Act 1978 — S.R. No. 80
 Conservation, Forests and Lands Act 1987 — S.R. No. 74
 Country Fire Authority Act 1958 — S.R. No. 107
 Credit (Administration) Act 1984 — S.R. No. 69
 Defence Reserves Re-Employment Act 1995 — S.R. No. 94

Drugs, Poisons and Controlled Substances Act 1981 — S.R. No. 63

Electricity Industry Act 1993 — S.R. No. 75

Environment Protection Act 1970 — S.R. No. 93

Equipment (Public Safety) Act 1994 — S.R. No. 82

Fisheries Act 1968 — S.R. Nos 84, 96, 104

Health Services Act 1988 — S.R. Nos 87, 89

Hospitals Superannuation Act 1988 — S.R. No. 77

Lotteries Gaming and Betting Act 1966 — S.R. No. 79

Magistrates' Court Act 1989 — S.R. Nos 99, 103

Melbourne and Metropolitan Board of Works Act 1958 — S.R. No. 105

Metropolitan Fire Brigades Act 1958 — S.R. No. 106

Occupational Health and Safety Act 1985 — S.R. Nos 81, 83

Prostitution Control Act 1994 — S.R. No. 72

Public Sector Management Act 1992 — S.R. No. 70

Registration of Births Deaths and Marriages Act 1959 — S.R. No. 67

Retail Tenancies Act 1986 — S.R. No. 95

Road Safety Act 1986 — S.R. Nos 85, 98, 108

Stamps Act 1958 — S.R. No. 86

Stock Diseases Act 1968 — S.R. No. 61

Subordinate Legislation Act 1994 — S.R. Nos 64, 65, 66

Supreme Court Act 1986 — S.R. No. 71

Surveyors Act 1978 — S.R. No. 76

Transport Act 1983 — S.R. No. 97

Water Act 1989 — S.R. No. 101

Water Industry Act 1994 — S.R. No. 73

Workers Compensation Act 1958 — S.R. No. 100

Zoological Parks and Gardens Act 1967 — S.R. No. 88

Subordinate Legislation Act 1994 —

Ministers' exception certificates in relation to Statutory Rule Nos 61, 62, 64, 65, 66, 71, 101, 105

Ministers' exemption certificates in relation to Statutory Rule Nos 68, 69, 70, 73, 74, 80, 85, 86, 87, 89, 90, 92, 93, 95, 97, 98, 102

Transport Act 1983 — Order for Transfer of Assets and Liabilities pursuant section 81

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 27 October 1992:

Australian Food Industry Science Centre Act 1995 — Sections 5 to 30 inclusive on 1 June 1995 (*Gazette No. G21*, 1 June 1995)

Coastal Management Act 1995 — Remaining provisions except Division 4 of Part 3 and sections 42(2), (3), (4), (5), (6), 43, 44 and 45 on 6 July 1995 (*Gazette No. G26*, 6 July 1995)

Defence Reserves Re-Employment Act 1995 — Sections 3 to 19 inclusive on 27 July 1995 (*Gazette No. G29*, 27 July 1995)

Domestic (Feral and Nuisance) Animals Act 1994 — Remaining provisions on 9 April 1996 (*Gazette No. G28*, 20 July 1995)

Electricity Industry (Amendment) Act 1995 — All provisions (except Parts 1 and 4 and sections 4(2), 9, 10, 12, 37, 38, 46, 47, 53(2) and 67(2)) on 20 June 1995 and section 12 on 1 July 1995 (*Gazette No. S52*, 20 June 1995). Sections 9, 10, 46 and 47 on 8 August 1995 (*Gazette No. S78*, 8 August 1995)

Gaming Acts (Amendment) Act 1995 — Section 35 on 24 August 1995 (*Gazette No. G33*, 24 August 1995). Section 17 on 14 August 1995 (*Gazette No. S79*, 8 August 1995)

Gas and Fuel Corporation (Repeal) Act 1995 — (a) Parts 2 and 5 on 14 June 1995; and (b) Remaining provisions (except Section 44(2)) on 21 June 1995 (*Gazette No. S49*, 14 June 1995)

Grain Handling and Storage Act 1995 — (a) Sections 4 to 12 and 26 to 38 on 14 June 1995; and (b) Sections 13 to 25 inclusive and 39(1) on 1 July 1995 (*Gazette No. S49*, 14 June 1995)

Land (Miscellaneous) Act 1995 — Sections 4, 6, 7, 8 and 9 and Schedules 1 and 2 on 3 August 1995 (*Gazette No. G30*, 3 August 1995)

Latrobe Regional Commission (Repeal) Act 1995 — Section 7 on 15 August 1995 (*Gazette No. G29*, 27 July 1995)

Legal Profession Practice (Guarantee Fund) Act 1993 — Section 7 on 19 June 1995 (*Gazette No. G23*, 15 June 1995)

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Melbourne Sports and Aquatic Centre Act 1994 — Sections 3 and 4 of Part 1 and Parts 2, 3, 4, 5 and 6 on 1 June 1995 (*Gazette No. S45*, 31 May 1995)

National Parks (Yarra Ranges and Other Amendments) Act 1995 — Section 3; Part 3; Part 4 (except section 45); Schedule 2; and Schedule 3 (except paragraph (c) of part B of that Schedule) on 3 August 1995 (*Gazette No. G30*, 3 August 1995)

Occupational Health and Safety Act 1985 — Items 13, 48 and 61 in Schedule 2 on 1 July 1995 (*Gazette No. G25*, 29 June 1995)

Planning Authorities Repeal Act 1994 — Sections 12 and 13 on 1 July 1995 (*Gazette No. S63*, 29 June 1995)

Queen Victoria Women's Centre Act 1994 — Remaining provisions on 15 June 1995 (*Gazette No. G23*, 15 June 1995)

Retail Tenancies (Amendment) Act 1995 — Remaining provisions on 1 August 1995 (*Gazette No. G28*, 20 July 1995)

Road Safety (Miscellaneous Amendments) Act 1995 — (a) Sections 3 to 9, 11 to 13, 15 to 17, 19, 21 to 25 and 27 on 6 July 1995; and (b) Sections 18 and 26 on 1 November 1995 (*Gazette No. G26*, 6 July 1995)

Water Industry (Amendment) Act 1995 — Remaining provisions except sections 16(8), 22(a), 22(e), 22(g), 22(h), 22(l) and 33 on 29 June 1995 (*Gazette No. G25*, 29 June 1995).

ROYAL ASSENT

Message read advising royal assent to:

6 June 1995

Appropriation (Parliament) (Interim 1995-96) Bill

Electricity Industry (Electricity Corporations) Bill

Financial Institutions Duty (Amendment) Bill

Gas and Fuel Corporation (Repeal) Bill

Government Employee Housing Authority (Amendment) Bill

Local Government (Further Amendment) Bill

Melbourne and Olympic Parks (Amendment) Bill

Planning and Environment (Miscellaneous Amendments) Bill

Public Prosecutions (Amendment) Bill

Retail Tenancies (Amendment) Bill

Royal Botanic Gardens and Victorian Conservation Trust (Amendment) Bill

14 June 1995

Australian Grand Prix (Amendment) Bill

Children and Young Persons (Pre-hearing Conferences) Bill

Consumer Credit (Victoria) Bill

Equal Opportunity Bill

Financial Management and Audit Acts (Amendment) Bill

Gaming Acts (Amendment) Bill

Grain Handling and Storage Bill

Health Services (Metropolitan Hospitals) Bill

Land (Miscellaneous) Bill

Legal Aid Commission (Amendment) Bill

Medical Practice and Nurses Acts (Amendment) Bill

Planning and Environment (Development Contributions) Bill

Plant Health and Plant Products Bill

Stamps (Further Amendment) Bill

State Deficit Levy (Repeal) Bill

20 June 1995

Appropriation (Interim 1995-96) Bill

Business Franchise (Tobacco) (Amendment) Bill

Electricity Industry (Amendment) Bill

APPROPRIATION MESSAGES

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National Parks (Yarra Ranges and Other Amendments) Bill

Road Safety (Miscellaneous Amendments) Bill

Trade Measurement Bill

Trade Measurement (Administration) Bill

Treasury Corporation of Victoria (Housing Finance) Bill

Water (Amendment) Bill

27 June 1995

Infertility Treatment Bill

Superannuation Acts (General Amendment) Bill

Water Industry (Amendment) Bill

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Extractive Industries Development Bill

Road Transport Charges (Victoria) Bill

APPROPRIATION (1995-96, No. 1) BILL

Message read recommending appropriation and transmitting estimates of revenue and expenditure for 1995-96.

Introduction and first reading

Mr STOCKDALE (Treasurer) pursuant to standing order no. 169 introduced a bill to appropriate certain sums out of the consolidated fund for recurrent services and for certain works and services for the financial year 1995-96 and to appropriate the supplies granted for recurrent services and for certain works and services under the Appropriation (Interim 1995-96) Act 1995 and for other purposes.

Read first time.

Second reading

Mr STOCKDALE (Treasurer) — I move:

That this bill be now read a second time.

Since 1992, Victoria has made a good start to rebuilding from the disastrous mismanagement of the 1980s. The decline in our budget position has been reversed, but we still have much to do to build a strong, competitive and secure Victoria into the 21st century.

In 1994-95, the state budget achieved a current account surplus of \$932 million and an overall surplus of \$215 million. This is the first time since the present series of budget statistics commenced in 1961 that Victoria has recorded a surplus on both the current account and overall in the same year.

In 1995-96, the budget projects maintenance of a surplus on the current account but an underlying deficit on the budget overall. The government's first objective, a sustainable current account surplus, has been achieved, but Victoria cannot afford an outcome in which its budget keeps adding to state debt.

During the recent recession:

in Victoria, output fell by 7 per cent compared to just 1 per cent for the rest of Australia;

Victorian employment fell by 7.5 per cent compared to a 3 per cent drop in the rest of Australia;

in Victoria, the number of private sector wage and salary earners declined by 18 per cent compared to just 5 per cent in the rest of Australia;

Victoria suffered one financial catastrophe after another: the State Bank, Tricontinental, the VEDC, the Victorian Investment Corporation and Pyramid are just some examples;

by 1992 Victoria's budget position was an unsustainable disaster; and

there was a collapse of public and consumer confidence, business confidence and investor confidence.

Victoria cannot fully recover from the mistakes of the past in just three years. The social and economic costs of Labor's mismanagement can be reversed only gradually. In particular, Victoria's excessive debt, and the consequent diversion of revenue from other priorities to paying interest, will require

concentrated attention and action over the whole of this decade.

We have stopped the haemorrhaging but we have not yet secured a competitive and prosperous Victoria.

Victoria is still exposed to risks which could undermine what has been achieved in the last three years:

our debt is still too high;

our interest bill is \$1000 million a year higher than it would be if we had the same interest ratio as New South Wales;

government is still too exposed to the risk of higher interest rates;

our infrastructure investment rate still needs to be improved;

we are barely covering depreciation of government's capital stock;

our taxation rates represent a competitive disadvantage; and

we need to complete a wide range of reforms to strengthen the state economy.

These risks and challenges demand that Victoria sticks to the strategy which is working and which will achieve our public interest objectives:

reduction of our still excessive debt and interest burdens;

appropriate levels of infrastructure investment;

a stable base for delivery of quality services; and

establishing foundations for future sustainable reductions in state taxation.

The combination of a prudent budget strategy and the application of privatisation proceeds to debt reduction will return Victoria's debt ratio to levels consistent with restoration of the state's AAA credit rating.

The rate of public investment has been lifted over the last two years and the further improvement provided for in the forward estimates will achieve a satisfactory level of government investment.

A stable base for delivery of high quality services to the people and businesses of Victoria is being achieved. A more service-oriented culture is being introduced into the Victorian public sector.

The remaining challenge is to reduce Victoria's tax rates to at least those of our main competitor, New South Wales, as a first step to a fully competitive, 21st century Victoria.

This process has barely begun. Most business taxes have been frozen for the last three years. The state deficit levy has been abolished. Stamp duty on marketable securities has been halved to maintain a competitive stock market. Reliance on land tax has been reduced. Further substantial tax reductions and achievement of the budget's medium-term taxation target requires that, over the next few years, the budget sector continues to maintain expenditure restraint, improve productivity, and increase the efficiency of resource utilisation to achieve outlay reductions of up to \$500 million. A range of measures is already planned to achieve these objectives.

The government is continuing the policy, initially introduced by Labor, of requiring departments to achieve an annual productivity improvement of 1.5 per cent of their discretionary spending bases.

We are introducing initiatives to produce significant savings in the cost of resources such as accommodation, motor vehicles and insurance. Funding has also been provided for introduction of new technology and re-engineering of processes to improve the effectiveness and efficiency of service delivery within a context of expenditure restraint.

Efficiencies already introduced will enable departments and agencies to reduce costs further in future years. The good news for Victoria is that these efficiencies can be achieved without repetition of the painful across-the-board measures implemented after 1992. The benefits of these ongoing reforms will accrue over the next few years and further substantial tax relief will be sustainable as these measures take effect.

Nonetheless, the gains achieved to date are only a first step towards the goal of a competitive, secure and prosperous Victoria.

1994-95 BUDGET OUTCOME

The improved 1994-95 budget outcome, referred to already, results from better than expected revenue

receipts and from lower than expected departmental outlays. Most of the reduction in outlays arises from savings in interest and subsidy payments and changes in the rate of expenditure on commonwealth-funded outlays. Some of these payments will be carried over to the 1995-96 year. Full details are provided in Budget Paper No. 3.

Without the inclusion of receipts of \$609 million from the privatisation of the TAB, Victoria would have recorded an overall budget deficit of nearly \$400 million for 1994-95. This fact highlights the reality that Victoria's underlying budget position still needs to be improved through responsible fiscal management, and the government is not in a position to loosen expenditure constraints.

As part of our strategy to reduce state debt and liabilities, in 1993-94 the government outlaid \$1.4 billion to repay deferred employer contributions to superannuation schemes. In 1994-95 the government has made further payments totalling \$233 million to eliminate other deferred and unfunded superannuation liabilities.

In recognition of the efforts made to restore the integrity of Victoria's finances, on 15 May 1995 Moody's Investors Service upgraded Victoria's credit rating from AA3 to AA2. In doing so, Moody's pointed to the improvement in the state's budget as the main reason for the upgrade and stated that 'the state's liabilities now appear to be under control'.

1995-96 BUDGET AGGREGATES

The 1995-96 budget projects an overall deficit of \$344.5 million for 1995-96 with an estimated current account surplus of \$706.1 million. The budget also includes another significant increase in gross fixed capital expenditure from \$1079.1 million to \$1318.2 million, reflecting the government's commitment to increasing infrastructure investment to support economic recovery and growth.

NO TAX INCREASES

This 1995-96 budget contains no new taxes and no increases in tax rates.

Total taxation revenue is projected to increase by 2.6 per cent, a reduction of 0.9 per cent in real terms. The nominal increase in 1995-96 is expected to arise largely from growth in payroll tax receipts, electronic gaming machine and casino revenue, and tobacco franchise fees.

Offsetting this revenue growth is the expected fall in revenue arising from the reduction of the stamp duty rate on marketable securities. On 29 May 1995 the government announced that the stamp duty on listed marketable securities would be reduced by 50 per cent. A compensating increase in tobacco franchise fees was announced at the same time. This brings Victoria's tobacco franchise fee rate into line with the national standard.

Racing betting tax revenue is expected to fall, representing the full year effect of the reduction in totalisator tax rate. The abolition of the state deficit levy will also reduce revenue in 1995-96 by approximately \$175 million.

CURRENT OUTLAYS INITIATIVES

Spending initiatives are deliberately modest and directed toward meeting increases in demand, supporting the state's economic recovery, and improving competitiveness. A number of the initiatives also support and facilitate private sector involvement in delivery of services or infrastructure provision.

The 1995-96 budget estimates reflect the budget measures announced in the autumn economic statement 1995:

\$112 million for acute care hospitals, primarily to provide for increased demand and falling private patient revenue;

\$10.5 million to the transport portfolio for growth in the multipurpose taxi concession program and \$4.7 million to meet demand for the school bus transport services;

\$9.4 million for the mandatory reporting and child protection program;

\$6.3 million for the education portfolio to maintain the state's vocational training effort in line with the requirements of the Australian National Training Authority (ANTA);

\$4.9 million as a one-off payment for municipal library grants to assist in the transition to new financial year arrangements; and

\$3 million for the government's multimedia initiative, including transforming the way the government delivers services and building a strong communications and multimedia industry in Victoria.

Additional allocations announced today include:

provision of \$8 million in 1995-96, and in future years, for the increased service levels following from implementation of a new computer-aided call taking and dispatch service for emergency service organisations;

an additional allocation of \$5.8 million for the government's successful industry investment incentives programs;

\$4.0 million to enable the Underground Powerlines Committee to continue its role of relocating distribution powerlines, being funded from the budget for the first time as a community service obligation;

\$2.2 million as Victoria's contribution to the National Grid Management Council's proposal to establish two companies to develop, process and test market systems, and to administer the industry code of conduct;

\$1.4 million as the Victorian contribution for the reform of the Snowy scheme thereby enabling its participation within the Victorian and national electricity grid; and

\$400 000 for dredging operations at Lakes Entrance and Queenscliff.

VICTORIA'S INFRASTRUCTURE

Sustained economic growth in the longer term will require the restoration of Victoria's infrastructure in industries underpinning economic activity, such as land transport, the ports and energy. The government is committed to increasing the budget sector capital stock to redress the decline in investment during the 1980s and restore real per capita investment in public infrastructure closer to historical levels equivalent with New South Wales.

A key medium-term objective of the government is a target of around 1¼ per cent of GSP for aggregate budget-funded investment over the next four years.

The government will provide funds for a number of new projects which are to commence in 1995-96. These outlays include:

\$147 million for transport-related projects, including:

\$49.0 million for the Comeng train upgrade and refurbishment;

\$22.6 million for suburban railway station upgrade works;

\$10.3 million for the relocation of the South Melbourne tram depot and rationalisation of the Met tram light repair facilities to Montague; and

\$6 million for the provision of additional safe commuter car parking at suburban railway stations;

\$88.9 million for the improvement of educational facilities. An additional \$40.6 million derived from asset sales will be provided in 1995-96 for school education refurbishment and improvement projects, bringing the total amount provided from this source to \$166.8 million by the end of 1995-96;

\$80 million for health-related infrastructure;

\$36.6 million for the government accommodation strategy, which will rationalise rental accommodation in the central business district and achieve substantial savings in rental costs;

\$37 million for the provision of port, road and service infrastructure for the new chemical storage facility at Point Lillias;

\$10.5 million for arts-related projects;

\$9 million for the upgrade of national parks access and visitor facilities and improvements at the Werribee and Melbourne zoos; and

\$9 million for the heritage official buildings restoration program.

In 1995-96 the government has provided \$80 million for departmental micro-economic reform initiatives. In the past government investment in technology has generally been ad hoc and without specific direction. This year, for the first time, provision is being made for projects which invest in new technology and other measures to improve efficiency and productivity in public sector service delivery.

In May 1995 the government announced that Transurban had been selected as the preferred consortium for the Melbourne City Link project. The

APPROPRIATION (1995-96, No. 1) BILL

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project, the largest road construction proposal currently being developed in Australia, will:

link the Westgate Freeway and the South Eastern Arterial via a tunnel under the Domain; and

link the Tullamarine Freeway to the Westgate Freeway.

Detailed design and planning of the City Link will commence during the second half of 1995. Construction is expected to start in early 1996, with the project being completed by the year 2000. Through the Better Roads fund, the government is contributing \$50 million in 1995-96 as the first instalment of a projected \$300 million contribution to facilitate this major Victorian infrastructure project. This contribution will be recouped under the long-term arrangements for the project.

LOWERING PUBLIC SECTOR DEBT

A key objective of the government's longer term financial strategy is to reduce the state's debt to levels consistent with a AAA rating. The implementation of rigorous outlays and revenue measures has enabled the government to reverse the previous upward trend in the ratio of Victoria's net debt to gross state product ratio. Whilst the 1995-96 budget represents the achievement of a major turnaround in the budget sector with the current account now in sustainable surplus, debt levels remain substantially higher than those of other states.

Victoria's public sector debt to GSP ratio was 30.8 per cent in June 1992, falling to 29.3 per cent in June 1994 and estimated to have fallen further to 27.1 per cent by June 1995. Without taking account of future privatisation proceeds, the ratio is projected to fall to under 22 per cent, the current average of the six states, by June 1999, but this level is still well above the levels of the AAA-rated states. This highlights the need for Victoria to continue a strong focus on reducing debt.

The budget is projected to add \$0.3 billion to net budget sector debt in 1995-96. Total net public sector debt is projected to fall in 1995-96 as a result of the recently announced successful sale of United Energy Ltd to the Power Partnership consortium. The proceeds of that sale will be used to reduce Victoria's debt within the electricity industry and therefore will not impact on the projected budget outcome for 1995-96. In line with previously stated policy, and to protect the interests of taxpayers in

commercial transactions, no allowance for receipts from the anticipated sale of the remaining distribution businesses during this financial year have been included in the 1995-96 budget estimates. Initially, these receipts will be used to further reduce electricity industry debt.

SUPERANNUATION LIABILITIES

Victoria's superannuation outlays have been growing as a proportion of revenue and current grants from 4.3 per cent in 1987-88 to 6.5 per cent in 1993-94. The policy of funding superannuation on an emerging cost basis resulted in an increase in the public sector unfunded superannuation liability level to a peak of \$19.1 billion in June 1991, reducing to the current level of \$15.1 billion as at June 1995.

The government has reduced the level of unfunded superannuation liabilities by implementing several initiatives:

direct payments to extinguish deferred employer contributions, with a total of over \$1.6 billion being injected over the past two years;

benefit changes for most new public sector employees;

provision of incentives for existing government employees to transfer to more cost-effective schemes;

work force reductions in the public sector; and

changes to the assessment of disability claims.

GOVERNMENT REFORM AGENDA

The government's reform agenda since coming to office has extended well beyond reforming state public finances by implementing an extensive array of policies to improve the international competitiveness of Victoria's economy. This broad-ranging program includes for example:

recommitment of the state education system to excellence, with increased focus on community participation in school management;

delivering industrial relations reform;

reform of workers compensation, virtually eliminating unfunded liabilities and delivering a reduction in premiums and the premium levy in 1995-96;

reform of planning laws to reduce delays and remove obstacles to investment;

developing a quality-based health system for Victoria, including the introduction of output-based funding for hospitals and establishing the Metropolitan Hospitals Planning Board to improve access to services into the 21st century;

the exposure of public sector services to open competition to drive efficiency gains in the delivery and operation of infrastructure and services;

major amendments to the state's mining laws and environmental effects statement process, leading to a surge in mining exploration highlighted by the recent year-on-year increase of 43 per cent in the number of mining applications; and

a significant reform of local government to reduce costs and improve the regional development focus.

The government remains committed to this broad reform process and today's budget provisions will help to maintain the pace and direction set during the past three years. We recognise, though, that effective implementation of major reforms to revitalise the Victorian economy and provide opportunity for creative and fulfilling lives for all Victorians requires the participation and assistance of the community and of governments outside Victoria.

Despite its occasionally impressive rhetoric about micro-economic reform, the federal government has in recent years been at best neglectful and at worst obstructive in a range of areas. In industrial relations it has deliberately set out to thwart much-needed reforms. In ports, after a reasonable beginning several years ago it has placed any further reform in the too-hard basket. It has not been cooperative in pursuing reform of Australia's seriously deficient federal-state financial relations. For Australia as a whole to achieve its potential it requires a federal government actively committed to fundamental economic reforms.

GOVERNMENT BUSINESS ENTERPRISE REFORM

The reform program for government business enterprises continues to lead the rest of Australia. The Victorian program includes:

exposing GBEs to an income tax equivalent regime;

implementation of a wholesales sales tax equivalent regime;

implementation of the government's community service obligations policy; and

implementation of a commercial approach to dividend setting.

COMMONWEALTH-STATE FINANCIAL RELATIONS

Victoria has been at the forefront of discussions concerning the reform of commonwealth-state financial relations. In particular, the Victorian government has taken a lead in seeking a sustainable basis for the implementation of the Hilmer competition reforms.

At the Council of Australian Governments meeting in April, agreement was reached on the implementation of the national competition policy and associated revenue-sharing arrangements. While state-based reform initiatives were estimated by the Industry Commission to account for 80 per cent of the expected competition reform benefits, only 34 per cent of the competition dividend would accrue to the states.

As a result of state concerns about this imbalance, the commonwealth and the states have reached agreement, through the COAG processes, on arrangements which assure the states of a fairer share of the overall benefits of reform. The commonwealth will pay to each state a series of competition dividend payments dependent upon the state's achievement of defined time lines on reform outcomes. The competition dividend payments, in 1994-95 prices, will increase from \$200 million in 1997-98 to \$600 million in 2001-02. Victoria's estimated share of the dividend is around \$50 million in 1997-98 and 1998-99.

VICTORIA'S CONTINUING ECONOMIC RECOVERY

Growth in Victoria's gross state product, predicted to be 4.9 per cent in 1994-95 at the time of the autumn economic statement, is now estimated to be a little lower at 4.75 per cent as the interest rate increases of late 1994 have bitten more sharply into investment expenditure by Victorian firms than anticipated. Business investment, which in May was

expected to increase by around 15 per cent in 1994-95, is now estimated to have grown by 11 per cent.

Nevertheless growth of 4.75 per cent, equal to the commonwealth Treasury's estimate for national growth in 1994-95 and following on from growth of 4.5 per cent in Victoria in 1993-94, is a very solid achievement. A recent survey, *Business and Economic Performance and Prospects for Australian States*, reveals that Victoria's economic policies and management are rated more highly than those of all other states and, significantly, that Victoria is the only state where state government policy is rated as making a greater positive contribution than national government policy to economic growth.

Victorian exports are now growing considerably faster than the national average: 12 per cent in 1993-94 compared to 6 per cent nationally, and around 11 per cent in 1994-95 against 7 per cent Australia wide. In 1993-94 Victoria regained its pre-eminent position as the research and development capital of Australia, with private sector investment totalling \$1.1 billion. In terms of overall productivity, Victoria continues to exceed national output per employee by 5 per cent or more, confirming the competitive advantage enjoyed by the state.

These are not the only successes of Victorian enterprise: over the year to July 1995 total employment increased by 3.5 per cent and full-time employment by 3.7 per cent. As a result of Victoria's strong performance in creating jobs the state's unemployment rate fell to 8.9 per cent in July 1995 compared to 10.3 per cent a year earlier, while our work force participation rate rose to 63.8 per cent, equal to national average.

In 1995-96 activity is now expected to grow more slowly than forecast in the autumn economic statement, principally due to lower growth in private consumption as households rebuild their savings after very strong growth in consumer spending in 1994-95. Residential investment, previously expected to remain flat in 1995-96, is now expected to fall by 7 per cent in Victoria as uncertainty over interest rates leaves consumers wary.

However, the outlook for business investment has strengthened since the autumn economic statement. Surveys of planned investment expenditure by business undertaken by the Australian Bureau of Statistics suggest Victorian firms will expand

investment at up to twice the expected national rate in 1995-96, underpinning an upgrade in growth in business investment to 13 per cent in 1995-96 from the 10 per cent forecast in the statement.

Growth in employment will not be as strong in 1995-96 as it was in 1994-95. In the 12 months to June 1996 employment is expected to grow by 2 per cent in Victoria, while the unemployment rate is expected to fall only marginally to 8.25 per cent as more persons seek to join the strengthening labour market and the continuing decline in interstate emigration, coupled with increasing immigration from overseas, adds to the state's work force.

Beyond 1995-96 Victoria is expected to continue to grow at around 3.25 per cent a year and employment is expected to increase at approximately 2 per cent June-on-June so that the state's unemployment rate is estimated to fall to around 7.25 per cent by June 1999.

APPROPRIATION BILL

The Appropriation (1995-96 No. 1) Bill which I am now introducing provides the legislative authority for payments from the consolidated fund for the purposes of recurrent and works and services expenditure in 1995-96, including the amounts appropriated under the Appropriation (Interim 1995-96) Act 1995.

In line with recent practice, the estimates included in schedule 1 of the bill are provided at departmental level and follow net appropriation principles whereby certain receipts are credited to a department's appropriation. In addition, unspent appropriation under the Appropriation (1994-95 No. 1) Act 1994 has been carried forward to 1995-96 pursuant to the provisions of section 32(1)(b) of the Financial Management Act 1994. These amounts are therefore not included in schedule 1 of the bill. Details can be found in table 4.4 of the 1995-96 Budget Paper No. 3, *Budget Estimates*.

The total appropriation sought in this bill is \$13 331.2 million. This amount comprises \$12 020.8 million for recurrent expenditure and \$1310.4 million for works and services expenditure.

CONCLUSION

The 1995-96 budget demonstrates that the government's policies are achieving a secure fiscal position, the essential first stage towards ongoing and sustainable economic growth for Victoria.

APPROPRIATION (PARLIAMENT 1995-96, No. 1) BILL

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Without a sound financial base the government could not carry out the other parts of its economic strategy for revitalising Victoria: control and reduction of debt; investment in public infrastructure to maintain the capital stock and meet the needs of industry and a growing population; and reduction of state taxes and charges.

We recognise that Victoria still has a long way to go. The state's debt level remains too high and interest consumes too much of our revenue. Victoria's taxes are too high and represent an obstacle to investment and international competitiveness. Despite recent improvement, the state's infrastructure requires sustained investment.

Development of a more economically prosperous Victoria does not of itself guarantee a decent, secure life for all Victorians in a cohesive community. What is certain, though, is that an impoverished Victoria, with excessive tax burdens imposed to meet the costs of crippling debts, cannot be a kinder, more supportive, more civilised community. It is only through encouragement of productive enterprise in our state that the resources will be available to improve the conditions of less advantaged citizens, particularly those whose circumstances mean that they are dependent on the community for support. Our emphasis is and must be on continued strong leadership and responsible fiscal management. Victoria's future prosperity relies on the ongoing benefits to the community and the economy from reforms to the budget sector and government business enterprises. The medium-term strategy outlined in the autumn economic statement which underpins this budget ensures that the public sector contributes to the development of a stronger growing, more productive and export-oriented economy.

I commend the bill to the house.

Debate adjourned on motion of Mr BRUMBY (Leader of the Opposition).

Debate adjourned until Tuesday, 12 September.

APPROPRIATION (PARLIAMENT 1995-96, No. 1) BILL

Message read recommending appropriation and transmitting estimates of revenue and expenditure for 1995-96.

Introduction and first reading

Mr STOCKDALE (Treasurer), pursuant to standing order no. 169, introduced a bill to appropriate moneys out of the consolidated fund for recurrent services and for certain works and services for the Parliament for the financial year 1995-96 and to appropriate the supplies granted for recurrent services and for certain works and services under the Appropriation (Parliament) (Interim 1995-96 Act) 1995 and for other purposes.

Read first time.

Second reading

Mr STOCKDALE (Treasurer) — I move:

That this bill be now read a second time.

The bill provides appropriations for the administration and operations of the Parliament in so far as they are funded by way of annual appropriation.

Honourable members will be aware that other funds are appropriated for parliamentary purposes by way of special appropriations contained in various legislation. In addition, unspent appropriations under the Appropriation (Parliament 1994-95, No.1) Act 1994 have been carried forward to 1995-96 pursuant to the provisions of section 32(1)(b) of the Financial Management Act 1994. These funds are therefore not included in the amounts specified in schedule 1 of this bill. Details of these amounts can be found in table 4.4 of the 1995-96 *Budget Estimates* budget paper.

The total amount sought is \$30 million (\$30 038 700). This amount is made up of \$28.9 million (\$28 864 400) for recurrent expenditure and \$1.17 million (\$1 174 300) for works and services expenditure.

In line with the wishes of the Speaker and the President of the Legislative Council, appropriations in the bill are presented in a program format.

I commend the bill to the house.

Debate adjourned on motion of Mr BATCHELOR (Thomastown).

Debate adjourned until Tuesday, 12 September.

OMBUDSMAN

The SPEAKER — Order! I wish to advise that on 2 August 1995 I administered to Dr Barry William Perry, the Ombudsman, and Charles Frances Baré, the Acting Deputy Ombudsman, the oath required by section 10 of the Ombudsman Act 1973.

BUSINESS OF THE HOUSE

Grievances

Mr W. D. McGRATH (Minister for Agriculture) — By leave, I move:

That for the purposes of sessional order no. 4(1), Wednesday, 11 October 1995, and Wednesday, 15 November 1995 be appointed days upon which the question 'That grievances be noted' may be put.

Motion agreed to.

Program

Mr W. D. McGRATH (Minister for Agriculture) — I move:

That, pursuant to sessional order no. 6(3), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 7 September 1995:

- Public Transport Competition Bill
- Road Transport Charges (Victoria) Bill
- Extractive Industries Development Bill
- Drugs, Poisons and Controlled Substances (Amendment) Bill
- University Acts (Further Amendment) Bill

Motion agreed to.

PUBLIC TRANSPORT COMPETITION BILL

The SPEAKER — Order! As the required statement of intention has been made pursuant to section 85(5)(c) of the Constitution Act 1975, I am of the opinion that the second reading of this bill requires to be passed by an absolute majority of the house.

Second reading

Debate resumed from 11 May; motion of Mr BROWN (Minister for Public Transport).

Mr BATCHELOR (Thomastown) — In rising to lead the debate for the opposition, I give notice that at a later stage the opposition will seek to move a reasoned amendment. The bill was read a second time on 11 May. The government wanted the bill brought forward and dealt with quickly as one of its key initiatives, but, following discussions with the industry, its presentation and progress were delayed considerably. Since May it has been stated that the industry has concerns about the bill. I shall deal with those concerns later.

I turn to the background of the bill so that the position of the opposition may be clearly understood. The bill covers transportation for hire or reward by commercial passenger road vehicles. It clearly targets such vehicles and is not intended to cover taxicabs, hire cars or vehicles used solely for religious or other purposes.

The bill has three primary purposes. The first is to change the current system of licensing of each commercial passenger bus to a system of accreditation of bus operators. The second is to change the contract system of operation of bus services, including school buses — a controversial issue to which I will also return later — through the introduction of service-based contracts. The third purpose is to change the composition of the board of the Public Transport Corporation.

The change to a system of operator accreditation will have an enormous impact. Currently buses are accredited to provide services along a particular and designated route. Approximately 5655 bus licences have been issued under a number of different categories: 1663 licences to operate route services, 744 individual licences to operate as charter buses, a staggering 1937 licences to operate under the school contract system, 430 to operate as tour buses and 881 to operate as private omnibuses — a total of 5655 individual licences.

In addition to the individually licensed buses, approximately 3200 buses with more than 12 seats are not licensed, of which 500 are hire-and-drive vehicles. The remainder are owned by government, local government bodies or private individuals and are used for a range of private, business and philanthropic purposes.

The government established a working party comprising industry and departmental representatives to consider the changed basis of accreditation. The working party reported to the minister in 1994 on how the foreshadowed

accreditation system might work but failed to reach agreement on significant issues. Since the second reading of the bill on 11 May there has been an active and prolonged industry response to accreditation and a range of other issues concerning changes contained in the bill.

Some of the issues of concern arise because the bill enables the establishment of a regulatory regime to handle the new system of operator accreditation but provides no detail of the regulatory framework. The bill provides that once an operator is accredited the regulations under the Transport Act no longer apply and that existing licensed operators will have up to two years to become accredited.

Clearly the accreditation of bus operators will involve standards: the ability to provide, manage and operate passenger transport services; the safety of passengers and the public; service to passengers; and the design, service, maintenance and condition of vehicles and equipment. The public and the public safety demand that important strategic issues that arise from those broad headings must be addressed, yet no real details have been provided.

It is true that much of the detail will come to light later by way of a series of regulations. That is the way much modern enabling legislation is framed: the appropriate details are contained in the supportive regulations. In this case, the corresponding regulations have not been made available in an expanded or detailed form. In some respects we are being asked to buy a pig in a poke: the headings are there, but the preliminary details of the regulations have not been provided. It is crucial that the details be made available if we are to make sense of what is to occur as a result of the implementation of industry accreditation.

The opposition is concerned about this matter, which involves the safety and administration of thousands of buses throughout Victoria. We can only rely on good faith and hope that the regulations will be introduced. Their absence is symptomatic of the pattern of this government. It tries to do everything by regulation, effectively taking power to make legislation out of the hands of Parliament, away from the eyes of the public and the scrutiny of Parliamentarians as law-makers, and passing it to bureaucrats in a delegated way.

Transparency is an issue in public policy making that the government says it holds near and dear, but when it comes to implementing issues of public policy particularly regarding transparency, the

government is severely lacking. In this case, the transparency is nonexistent. The opposition, the industry and consumer groups would prefer to have been given the details of the proposed regulatory framework. As I will detail later, this matter is of concern to individual bus operators, the industry and the industry association.

The second major thrust of this bill deals with the nature of the contracts for the delivery of passenger services in Victoria. In the past and under this government, the letting of bus contracts has been controversial. One of the major issues previously, as it is now, was the strongly held belief by bus operators that they own the routes they operate and that if they lose that ownership, they should receive compensation for the loss of that property.

This bill seeks to establish a new form of contractual arrangement between bus operators and the government. Such arrangements are to be based on service contracts. In establishing new service contracts the government hopes to include as part of the payment basis to bus operators a commercial incentive based on patronage levels. The government has said it hopes to make contractual arrangements similar to those that have been entered into with the National Bus Company.

These changes will be brought about in what can be best described as a carrot-and-stick approach. Existing contracts with bus operators will not expire for some considerable time. Between now and the contract expiration dates the government proposes to renegotiate and change those contracts covering the route bus services to a new contractual basis similar to that operating between the government and the National Bus Company. As the bus operators see it, if route bus companies refuse to cooperate, or if agreement is unable to be reached for whatever reason between now and the expiration of those contracts, the stick will be applied and their property will be subject to open tender at the expiration of those contracts.

That aspect has been an enormous bone of contention between the government and the industry. The controversy about this matter, which has raged long and loud in recent months, has primarily been confined to the industry and the government. The issue has not gone into the public arena. It is unusual for such disputes between an industry group and the incumbent government to not receive more widespread media attention. We can only speculate on the reasons for that, but if we are to rely on press coverage as a measure of

discontent, uncertainty or fear of this bill within the industry, many will gain an entirely wrong impression of what is happening or of the feelings of the owners of the bus companies, many of which are family-run businesses of many years duration.

As with the accreditation system, the enabling provisions relating to the service contracts are devoid of any real or effective details. The enabling provisions have been introduced in the second-reading speech, but the real guts of the detail have not been made available to Parliament. That precedent is bad. It is bad parliamentary form to have Parliament decide on enabling legislation without having access to the complete details. After the passage of this bill and once arrangements have been set in place, the commercial-in-confidence excuse about the details of the new contracts will be used to divide the public and Parliament.

The bill also removes the right of the bus operators to seek from the Supreme Court compensation in a variety of circumstances, including loss of accreditation and the failure of the government to renew a service contract. Most bus operators have expressed opposition to the implications and particular parts of this bill because they will lose what they regard as their property rights or the goodwill attached to their bus routes, be they school bus routes or the service routes of which there are so many in metropolitan Melbourne and rural Victoria.

The concern of bus operators relates to not only the route services but to the nearly 2000 school bus contracts that exist, mainly in rural Victoria but also in outer metropolitan areas of Melbourne. School children use school buses because there are no government schools near where they live. For rural communities, particularly those that have had their schools closed by this government, the provision of school buses is an important, highly valued government service. They are fearful of losing the service or having it changed as a result of the introduction of the Public Transport Competition Bill.

The government says that rural communities have no need to worry; that school buses will be available to transport their children. I am sure some school bus services will be provided, but rural communities were given assurances that their schools would not close. Parliament and the people of Victoria will have no knowledge of the detailed contractual arrangements entered into by the government. Rural communities have every right to be fearful of the new arrangements, because the fears expressed by

bus operators are reflected in rural communities. I am sure the arrangements will introduce massive changes to the transport system.

The third purpose of the bill is to reform the board of the Public Transport Corporation. This reform is being introduced because of the stinging criticism of the Auditor-General, who said that the board was too small and the expertise of its members too narrow. The opposition supports the government's decision to expand the board. Many of the unfortunate problems that have occurred in the public transport system over the past two and a half years may have been avoided if the board had been restructured earlier. The board has acted as a rubber stamp for government reforms and its members were apologists for the government. An expanded board may have come to grips with the enormity of the task facing the public transport system and the community may have seen better outcomes than it has during the past two and a half years. Unfortunately, better outcomes were difficult to deliver because of the government's hatred of public transport and its preference for freeways and car-based communities.

In accordance with the views I have expressed I move:

That all the words after 'That' be omitted with the view of inserting in place thereof the words 'this house refuses to read this bill a second time until the proposed regulatory framework is fully known, all the concerns of the industry have been fully canvassed and resolved and there is a clear and particularised commitment to meeting community service obligations and customer service standards'.

The opposition indicates that if the concerns expressed in the reasoned amendment are addressed satisfactorily by the government the bill will have bipartisan support. As I said earlier, the thrust of the bill involves a regulatory framework, the precise nature of which has not been explained to the opposition, the industry or Parliament. When the details of the bill were outlined during a briefing by departmental officers many issues involving regulations appeared to be contradictory, and the details of some measures could not be provided because they were not available.

Industry representatives have had detailed discussions with the Department of Transport. In fact, members of the industry were involved in a working party on accreditation, so one assumes that since the presentation of the second-reading speech

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in May they have had lengthy and detailed discussions with the government. I hope the government has provided industry with a mechanism that will enable it to put forward the concerns it has so that many of the issues can be resolved.

The opposition is not aware of the detail or the outcome of the discussions the government has had with industry, but it believes the changes introduced by the bill will have a significant impact on rural communities and bus operators. An appropriate time should be allowed for consultation so that the fears of many rural communities and those working in the industry can be resolved. Bus company proprietors have spoken to me about their fears for the industry. I received a significant number of detailed explanations from bus companies about the impact these proposed changes would have on their services.

It could be that some of their concerns have been met in consultations that I hope have taken place; it could be that some of their concerns were ill-founded because they are dealt with in the regulatory framework that will flow from this bill; it could be that some of their concerns were misplaced and that the government has had the opportunity through time to explain the intention, if not the detail. The opposition — not being party to those discussions, not having that regulatory framework before it and not having had any further information from the government — can only assume that concerns expressed by the industry earlier this year when the bill was tabled are still held.

I will quote from a number of letters that have been sent to me — government members may say I am quoting too much — expressing the concerns of people in the industry: of family companies that have been in operation for many years and of other companies and individual operators who carry out a strategic service in the community in which they work. Their services are greatly valued by people living and working in metropolitan Melbourne and especially rural Victoria.

I received a detailed letter from Mr John McMillan of H. F. McMillan Motors Bus Services of Ararat, which states:

For 68 years, my family has been dedicated and trained to providing varied bus/coach services in a small town, currently with declining population and high unemployment.

We remain viable only while all components of our passenger services are intact.

The loss of school and route service contracts would render our business not viable — with a loss of 25 employees, experience and trained expertise.

The devastating effects of deregulation in the bus industry in countries overseas, we have seen personally, and are alarmed that lessons may not be learned from the mistakes or experience of others.

The letter sets out a series of detailed proposals, covering some 17 pages in all. Mr McMillan sets out what he feels should be the basis of any re-examination of the bus industry and associated legislation.

I have another letter from M. A. J. Kneebone, the Managing Director of Westernport Road Lines, which is based at Lang Lang. I am sure the Minister for Public Transport knows this company well. It states:

I am writing to state my disappointment with the bill being put through Parliament by the minister for transport Mr Alan Brown. This bill is designed to take away the ownership of our bus contracts and licences. We are the owners of a small bus company that operates 17 school bus runs and are in partnership with another bus company on a V/Line contract. Just by placing this bill before Parliament it has destroyed the goodwill on our licences. Already this has decreased the value of our business if sold by \$1 million. If the government tenders these contracts after seven years as stated in the bill, nobody will buy a new bus as there will be no guarantee how long the contract will last. People will not tender on contracts with new buses as the buses are priced too high, therefore buses will become older and less safe for the people travelling.

We need amendments to the bill to allow the government and bus operators to negotiate to allow us to continue ownership of our business and leave some security in the industry. At the moment with this bill being placed before Parliament we have a non-saleable business.

Mr Kneebone expresses not only his fears and concerns for his business but also a desire to negotiate with the government.

Mr Brown — What is the date of the letter?

Mr BATCHELOR — The date is 18 May. Many of these letters were received at that time.

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A letter from P. A. Cassidy from Boort Operators states:

There are six families operating seven school buses that service our primary and secondary schools. Two families totally depend on their school bus contracts for their income and the others depend heavily on theirs to supplement their income from other sources. We see our contracts as a means of providing for our retirement. This would be lost as would the capital we put in to buy the contracts or the goodwill of an original tenderer.

We believe we offer an efficient and safe service to the people of Boort and that other operators statewide provide the same high standard to the communities they serve. Open tendering would undermine this level of service as people with no knowledge of bus operation would be encouraged to tender for school bus contracts with the cheapest vehicle they could find. Operators who have upgraded their vehicles in the last couple of years (we are told when to do this when an inspector feels your bus is no longer suitable for use) will be at a huge disadvantage as they will still have a large capital cost to allow for.

As I stated earlier most of us would face severe financial hardship if we lost our contracts with no compensation and our future financial planning would be in total disarray. Our plight will be taken up by the Bus Proprietors Association who have our unconditional support to act on our behalf.

A letter from F. P. Mortimer of F. P. and M. A. Mortimer of Nathalia states:

We have always been of the opinion it takes 10 years to overcome the purchase of a new bus before that contract returns to a viable proposition. We have six contracts. Of these five travel over unsealed, rarely graded, severely corrugated rough roads; also, some of these buses periodically travel through water from creek flooding. These conditions make it extremely difficult and costly maintenance wise to keep the vehicles in top mechanical and safe order.

Over a period of 28 years we have gradually and consistently upgraded our depot and provisions for maintenance to keep pace with new regulations and technology. During this time we have progressed from one bus to six, purchasing the other five from retiring operators to incorporate a family working business, and maintaining an employment option for the family in this low employment availability area.

Because of the tight monetary restraints, it is a slow process paying back money borrowed to purchase these other contracts. At this stage we still have a debt of \$250 000, consisting of funds borrowed to purchase contracts and balance owing for hire purchase on our last new vehicle.

We consider we are very conscientious operators, running our business very economically with no waste of funds, but it is a long-term venture to eventually have full ownership of the business. Since the government has introduced self-regulated quality assured maintenance we have channelled all available resources into this area in order to become fully accredited.

It is very disheartening to find after 28 years of dedicated service and knowledge of the bus industry and safety practices, we are faced with the possibility of losing the business we have spent a lifetime establishing to inexperienced people with no understanding of the real costs involved.

These are just some of the issues that have been relayed to me by people in rural Victoria, but these concerns have also been expressed by businesses in metropolitan Melbourne. I have received correspondence from Mr R. H. Bawden of Frankston Passenger Services, who states:

This bill seeks to remove ownership of our businesses by introducing an accreditation system which can be issued to anyone under a tender process. We believe that the routes and the businesses that have been established around those routes belong to us. The Supreme Court of Victoria has also established that fact in two court actions. I believe that this bill recognises this fact in section 37, by specifically seeking to exclude the Supreme Court from being able to intervene. Section 36 also protects the government from having to pay any compensation for its decisions. Both of these sections indicate the government's intention is to take something that does not belong to it and sell it to someone else without any payment to the original owners.

Under section 39(3) all licences are extinguished after two years. If we have no licence to operate we clearly have no business. The only way the government can behave responsibly if its intention is to own the routes is to compulsorily acquire them and pay us out. Then it would be free to do what it likes with the routes.

The main stated aim of this bill is to drive down the price of operating bus services to the government. I do not believe that the tender process will have the desired

effect, even if it does come to pass. The costings that are currently being used were developed by consultation between the government and our industry and were a fair result. If a bunfight is started between operators then something will give. In this case, it will be the safety standards and service. The industry is developing a cost model through the University of Melbourne to show the costs of operating. This will be an independent study and our members have agreed to use this model for future costings.

We as an industry have not been complaining about the current financial system, which I think is being translated by the government to mean we are receiving too much. The logic is if you are not screaming 'poor' you are earning too much.

Another issue the government complains about is that it is unable to alter services. This is not the case. Under the current contract there is provision to change services as the government wishes. I do not understand why the government claims this is a problem. The ability to base services on passenger numbers is touted as another problem, but it has always been in the government's control where and how services should run, so that it only needs to count the numbers and adjust services accordingly.

We are a small business of 12 buses, and have in the last few years purchased 6 new vehicles. If we are to lose this business and are not able to sell the vehicles at a good price then we will be sent bankrupt. We would lose everything we have built up over 45 years of service to the Frankston area.

As I indicated, these are just a random selection of the many letters expressing similar points of view that were sent to the opposition by operators of metropolitan bus services, operators of country bus services, operators of route services, operators of school bus services and operators of the other specialist-type services I mentioned earlier. These examples make up a small proportion of the correspondence the opposition has received, presumably from those within the bus industry either individually or through their associations. They have expressed similar points of view and given similar advice to the government. As we have not been advised to the contrary, we assume the government has heard those points of view. We understand that individual bus owners hold these issues near and dear to their hearts because these matters go to the core of their operations. That is why the opposition has moved its reasoned amendment. It believes the bill ought to be delayed not only until these issues have been adequately

canvassed, but until they are resolved, as they should be.

The opposition is also concerned about the impact the bill will have on the various groups in our community who use bus services. I shall talk about people who rely on the community service obligations a government must meet by providing services to the general public. The new arrangements do not make clear how those community service obligations will be met and the services provided or continued. Under competitive tendering these community service obligations may be lost not only to people who require specific services, such as the elderly and the disabled, but also to those who live in widely scattered locations in the growth areas of outer metropolitan districts that interface with the country. Even over a short time one gets the impression that houses in those locations are almost growing over the horizon. The areas have small, scattered populations but the government has given no undertaking that it will continue to meet its obligation to provide buses for people in these outlying metropolitan areas or in rural Victoria. We want to ensure that in every sense community service obligations are met.

If the government ignores the needs of the elderly by not providing buses in places where populations are ageing and where people do not have access to their private cars, what are its plans for the future servicing of our aged population?

Many children travel by route buses to get to and from school or higher education. It is crucial that children who live in outlying areas have access to buses. The government's community obligation is clear, but there is no understanding about how such obligations will be met as a result of the competitive tendering arrangements.

The last basis for moving the reasoned amendment is that customer service standards and the type of delivery of service that will apply after the change have not been spelt out. There is a need to focus on the greater needs of individuals and customers. There is a dearth of specific detail about how the regulations will operate or what impact the new contractual arrangements will have on the provision of such services. There is a need for a clear and particularised commitment as to what the service standards should be. What will the frequency regime of bus services be, particularly in the inner metropolitan areas, which tend to have a higher frequency than outer metropolitan areas, and will it be an acceptable standard in the future?

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When the contracts are renegotiated it will provide an opportunity for the government to dramatically increase or reduce customer service standards, and that opportunity should not be allowed to go through to the keeper. As parliamentarians charged with the responsibility of monitoring the changes, we should not pass legislation on such important issues that are as yet unresolved. We should know not only the standard of frequency but also the standard of hours of operation. We must know whether services will continue to run late into the night and at weekends.

The minister should indicate whether he believes it is acceptable to have service standards and whether Sunday bus services should be provided. Today if one wished to travel by bus on a Sunday one would find it difficult if not impossible in many parts of Melbourne to find a bus, because bus services are not available. When the new system is introduced there should be an overhaul of the standards provided to customers across metropolitan Melbourne. It should provide for increased frequency of bus services, better hours of operation and weekend services, including Sundays. Those issues should be addressed and incorporated into the system when the changed contractual arrangements are entered into.

We have not heard anything from the government, especially following the experience of the National Bus Company, which in its first year of operation lost \$1 million. We are fearful that in the negotiations the important service standards will not be provided for. One of the areas the government has forgotten is the special needs of women, who rely more heavily upon public transport than do men, for a whole range of social and structural reasons. In the outer suburbs women and their young children rely heavily on bus services. If it were not for the buses that run past their homes and neighbourhoods some women would become socially isolated. We have heard nothing about the service standards that are expected from the government to meet the particular needs of women. I refer the minister to a recent study of transport needs of women that was prepared for the women's planning network. Customer service standards are important, but they have been completely overlooked and neglected in introducing the bill.

In conclusion, the bill should be held over to enable everybody to know what the regulatory framework is. We must be assured that the concerns of the industry will be heard, canvassed and resolved. We require a clear and particularised commitment from

the government, firstly, to honour its community service obligations and, secondly, to identify customer service standards that will apply under the new contractual arrangements — in particular, how the new contractual arrangements will meet the needs of women and children in our community.

As I have demonstrated by the selection of letters sent to me, it is clear that the concerns of the industry are real. Operators believe the bill will hurt their operations. Under those circumstances we believe the Parliament should support the reasoned amendment, which will effectively allow more time for these matters to be resolved before the bill is dealt with by the house.

Mr PERRIN (Bulleen) — I support the Public Transport Competition Bill. I shall pick up a couple of points made by the honourable member for Thomastown because I do not believe he has understood the degree of consultation and work that has been put into introducing this legislation. There has been a lot of experience over the past couple of years of reform to public transport. I make it clear that the bill was held over from the last sessional period to this sessional period for the purpose of consultation. The nonsense we have just heard that there has been no consultation is ridiculous. Mr Craig in the other place chaired a consultative committee that travelled the length and breadth of Victoria and spoke with almost every Victorian bus operator.

The enormous amount of work put in by the committee has borne fruit, and in the committee stage the minister will introduce some amendments which show that this caring and compassionate government does listen to and consult interested parties. The legislation has been deliberately held over for the purpose of consultation on those amendments. Having said that, I suggest the bill is an important reform and should not be delayed any longer than necessary.

My comments on the bill will relate exclusively to route bus reform. As there are no school bus services operating in the Bulleen electorate, other government members will be in a better position to comment on school bus routes in their electorates. I shall refer to route bus reforms generally as I believe they are extremely important for Victoria. This bill will facilitate that reform process.

It is important to move to competitive tendering for route bus services, as no doubt it is for school bus services. It is vital that we move to commercial

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contracts that can provide increased benefits for consumers. I will outline the minimum requirements set by the government for bus routes tendered out on commercial contract. It is important that this be placed on the record because few opposition members understand that these requirements are set, as a minimum, every time a tender is put out for a bus route.

The first requirement is that, on average, service levels must be equal to or exceed the existing service. In other words, it must be the same or better. Secondly, Met tickets and current concession entitlements must be honoured. That is an absolute minimum requirement.

Thirdly, fares must not exceed the current Met levels but they may be lower. I shall give some examples of that happening shortly. Fourthly, 95 per cent of scheduled journeys must operate no more than 5 minutes late. In other words, the reliability of the bus service has to be guaranteed.

Fifthly, reasonable weekend and off-peak services have to be provided. Sixthly, 95 per cent of residences must be within 400 metres of a bus service during the day and within 800 metres on Sundays and at night.

The seventh requirement is that the office of the bus proprietor is to be staffed between at least 8 a.m. and 6 p.m., with an answering service for timetable inquiries seven days a week. The next requirement is that a register of complaints must be maintained by the bus proprietor. Finally, the minimum mobility and enhancement strategy for people with disabilities must be implemented as an absolute minimum.

Therefore any person or organisation that wants to provide bus services in Victoria has minimum standards that they must comply with. I am convinced that these minimum standards, together with the contracting out of services, will provide many benefits to commuters in Victoria.

It is obvious that the bill's requirements are likely to create a win-win situation. It is certainly a win for the taxpayers because when these reforms are implemented they will create budget savings. This is evidenced by recent Auditor-General reports; and in particular the May 1994 report indicated that many savings could be made by changing over to bus contracts.

In addition a number of Industry Commission reports have been produced on urban transport. A report dated 15 February 1994 on route buses makes it clear that there must be reform and that such reform will mean that taxpayers are better off. In other words, the taxpayers will benefit from having a more efficient system.

I recommend to members of the house both the Auditor-General's reports and the Industry Commission reports, because they show where many savings and efficiencies can be made to benefit the taxpayers of Victoria.

However, the biggest winners with competitive tendering are the commuters. In the electorate I represent the change of government brought a change from the Metbus services to the National Bus Company, and this change meant a move from a system to a service. I will provide some history of this issue to show how the commuters have benefited from the change.

When the Met services operated in the Bullen electorate my office was constantly inundated with complaints about drivers being rude, about changes to the services without notification, about the lack of information on timetables and bus routes and about the fact that whenever Met employees went on strike there were no public transport services in what is now the City of Manningham — none whatsoever. The commuters had to get to their destinations as best they could!

When the government changed bus services in the eastern suburbs of Melbourne from the Met to the National Bus Company conditions improved enormously for consumers, and it is these consumers on whom I wish to focus.

As soon as the National Bus Company commenced operation it had to adhere to the government's minimum requirements. The company carried out a total review of all bus routes that it had inherited from the previous Met system. I have the figures here, showing substantial benefits to commuters.

There has been a 66 per cent increase in the frequency of services to, say, shopping centres on weekdays. On Saturdays, there has been an 81 per cent increase in services to shopping centres; and on Sundays the figure is 206 per cent.

I would have thought that frequent services was a great achievement. If you look at the services offered by the National Bus Company to railway stations

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you will see a 25 per cent increase on weekdays, a 21 per cent increase on Saturdays and a magnificent improvement of 52 per cent on Sundays.

Major improvements also occurred in Doncaster, which is an area I represent. I see the honourable member for Doncaster in the house and I am sure he will make a contribution to the debate. On weekdays in that area the number of bus services made available to my constituents increased by 40 per cent. On Saturdays the services increased by 74 per cent and on Sundays the National Bus Company was able to increase its services for my constituents and, of course, those of the honourable member for Doncaster by 116 per cent.

The services for the eastern suburbs through Kew to the city increased by 7 per cent on weekdays, 12 per cent on Saturdays and 32 per cent on Sundays. The importance of the bus routes is that many constituents from Doncaster send their children to private schools in the Kew and Balwyn areas.

The review of bus routes was important, but there are more improvements. The National Bus Company introduced brand new buses to my electorate. In the past the Met service introduced second-hand buses, and I well remember the double buses that were introduced. The Labor government bought second-hand double buses from Japan and put them on the roads in the City of Doncaster and Templestowe, as it was then. The National Bus Company inherited all the old Met buses, which were in appalling condition. I know for a fact that the National Bus Company spent a considerable amount of money upgrading the second-hand buses it purchased from the Met by upgrading engines, brakes and tyres and generally fitting them out in a better manner.

The National Bus Company has, however, done more than that. It has purchased new buses, which is something we have not seen in the eastern suburbs for many a long year. I know the National Bus Company has committed itself over the next five years to a \$20 million program of upgrading 157 buses to service the new bus routes and those it took over. It will provide an excellent service, and it is an indication of the reforms that have occurred.

The National Bus Company has introduced brand new Mercedes Benz buses to the eastern suburbs of Melbourne. These magnificent new buses take two forms: not only has the company provided the normal bus of a length we usually attribute to bus companies but it has also introduced something new

and innovative, and that is where the benefits of the bill are. The National Bus Company has introduced the new minibuses that are travelling around our streets.

Mr Perton — Medium buses.

Mr PERRIN — The member for Doncaster believes they are medium buses. Nevertheless, the important thing is that we are getting brand new buses on our roads without adding one cent to the state's debt because these buses are being provided by the private sector. If the buses had been provided by the Met it would have increased the state's debt by some \$20 million over the next five years. One can see that as a result of this government's reforms the National Bus Company has not only provided better bus routes but new stock as well.

Mr Perton — And reduced bus fares!

Mr PERRIN — I will come to that in a moment. The new bus routes include new services in residential streets. The National Bus Company has been innovative because it is utilising the new minibuses to introduce new services to residential streets so that people have access to public transport close to their homes.

This morning I received in the mail some information from the City of Manningham. Tonight at its council meeting it will be considering a petition comprising more than 1200 signatures from residents in the area commending the National Bus Company for the new residential services in their streets. Many bus commuters support the introduction of the new residential street services.

I want to point out to honourable members how important these services are. For example, there is a great minibus service in the Bulleen-Lower Templestowe area. It runs through residential streets that have never had access to public transport. That service takes people from residential areas past shopping centres, past the elderly citizens club and to Doncaster shoppingtown. It is a tremendous service that has never been available to my constituents. The service has been warmly welcomed by residents because I have seen an increase in the patronage of public transport services in my area.

The minibus innovation has been introduced by the National Bus Company, and it should be congratulated. I shall outline to the house my experience of the service when I travelled on it

recently. The new minibuses virtually provide a door-to-door service. Given the fact that the minibuses run people through residential streets to the local elderly citizens clubs and to shopping centres, residents can virtually walk out their doors and catch the bus to the elderly citizens club, a shopping centre or some other community facility. But there's more.

The reforms of the Victorian government have provided further benefits, and I refer to what the honourable member for Doncaster said earlier about the lower fares. At present you can travel on any of the National Bus Company services and buy a Met ticket. It is a multi-modal ticket that can take you on a bus, tram or train and you can connect with all of those services without any problem at all. However, a greater benefit has now been made available to commuters who use the new National bus service — namely, the bus-only fares.

If you want to take a trip involving bus travel only the fare is cheaper. In fact, the fare for a bus-only ticket with the National Bus Company is 20 per cent cheaper than the Met ticket. Commuters living in my electorate have been provided with more services, more bus routes, new bus stops that are close and handy and a cheaper service.

One wonders how we put up with the poor services of the past. There are winners all over the place now simply because the government contracted out the service. The National Bus Company won that contract, and it is now providing benefits to public transport commuters.

Commuters who live in my electorate have benefited from the reform. In the past, whenever there was a Met strike, the trams, trains and buses would go out and commuters would not have access to any public transport at all. However, now that a private bus company — that is, the National Bus Company — is providing services that is no longer the case. A recent Met strike saw both trams and trains stop operating. I am happy to report to the house that bus services in the City of Manningham were running and staff did not go out on strike. Through the government's new system of contracting out the community had another win. At least some public transport services were running that would not have run in the past given that when the Met goes on strike all public transport services go on strike.

The reforms have provided major benefits to commuters, and that is one of the reasons why this

bill should be passed. We should make sure that some services are available should part of the public transport system go on strike. In other words, the whole public transport system should not close down simply because a particular union determines that that is what should happen.

What has been the effect of the changes that have taken place and the tremendous improvements in the services provided? The National Bus Company has reported that the government's decision to contract out bus services has resulted in increased patronage of operating services. Because we now have better bus routes that are closer to commuters' homes, lower fares and rolling stock that is safe and up to date, more people are coming back to public transport.

The expansion of public transport in urban areas will depend on buses rather than fixed-rail services such as trams and trains. That is why it is important to contract out bus services through competitive tendering. In that way we will get good operators who will run their companies along commercial lines and provide services 365 days of the year. Over time the contracting out of bus services will result in better facilities for commuters and an increase in public transport patronage.

I reiterate the importance of the bill. We reject the Labor Party's reasoned amendment because it will delay the reforms and prevent the benefits being passed on to other areas.

The case I have put shows the importance of implementing these reforms as soon as possible. We need the legislation to ensure that the service providers are up to date and give commuters the services they require. That will result in a win-win situation: taxpayers and commuters will win and bus operators will win. Bus operators will find that if they provide better services they will encourage more people back to public transport. It would be a travesty of justice if the Public Transport Competition Bill were held up by the delaying tactics of the Labor Party. I believe the bill should be passed as soon as possible.

I extend an invitation to all honourable members to visit the eastern suburbs — in particular, the City of Manningham — to examine our new bus service. I will show them our new Mercedes Benz buses and let them talk to the commuters who will tell them, as they have told me, that they are very happy with the new routes and increased services provided by the National Bus Company. The new fares are lower

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and the new routes run closer to commuters' homes than the fares and routes provided by the Met.

Government members do not want to delay the passage of the legislation. I again invite honourable members to visit my electorate to see for themselves the benefits of the contracting out of bus services, which provides better services at a lower cost to taxpayers. I believe it will lead to the increased patronage of public transport, particularly in urban areas.

Ms MARPLE (Altona) — All honourable members are aware of the importance of public transport. There would not be one member of this house who has not used at one time or another public transport — including buses, which is the subject of the bill we are debating. Those of us who are committed to public transport would like to be able to use it more often.

Public transport is important to many groups in our community. The shadow Minister for Public Transport mentioned several of those groups and spoke about the importance of ensuring that any changes will take their needs into account. As the shadow minister said, the bill has caused a great deal of anxiety to many small business people who run bus services across the state. Although I heard the minister say across the table that the people who wrote the letters that the shadow minister spoke about have been consulted, members of the opposition have not been told whether those small business people have been given the assurances they sought, which is why we have moved the reasoned amendment.

It is interesting to note that although the government side of politics always claims to care about small business we have seen evidence of late that suggests it is more interested in big business. Although the honourable member for Bulleen spoke in glowing terms of the benefits a large bus line has produced for his constituents, it is interesting to note that small business people have written letters to the opposition outlining their concerns about their future under the bill. We have moved the reasoned amendment to ensure that the bill is put to one side until the regulatory framework is fully disclosed.

It is all very well for a new bus company to come in and show that it can produce the goods, but the opposition always worries about monopolies. If the government does not give members of the public a community services commitment, they will be left in

the dark, concerned and worried about what the bill will mean for them.

It is interesting to note that most of the letters that were read out by the shadow minister came from people who live in rural areas. People throughout Victoria, regardless of where they live, are aware of the importance of bus services, particularly for their children. Mr Acting Speaker, I know you are aware of the need for bus services that enable young people to get to school, and I know you are concerned, as I am, that those services are safe. I believe more work needs to be done in that area. I hope this government — and any other government — is strongly committed to ensuring that proper regulations are in place and that we are all very clear about what they mean. The government is all the time telling us that it wants to have nothing to do with regulations, but as soon as there are problems in another area of transport — that is, taxis — regulations are brought in straightaway. That amounts to an acknowledgment, even from the other side, that regulation is a necessary part of providing transport services.

Small companies and family businesses have expressed concern about how they will operate under this bill. I will be interested to hear what the minister has to say about the matter. As we know, he has made a commitment to his rural constituents and to the small businesses that have been providing transport services up until now — and we hope into the future. That is why the opposition has asked the Parliament to consider the amendment and to vote in favour of it. I do not see any great difficulty with that. After all, the aim of the reasoned amendment is to enable everyone to be clear about the government's commitment to its community service obligations.

The opposition is concerned about the government's faith in private industry being able to take up community service obligations, hence its amendment. I am sure many members have had similar requests at different times about what happens to the complaints and concerns that come into their offices. Recently I was approached by one of my constituents in the Laverton area. As you are no doubt aware, Mr Acting Speaker, there are many transport and associated problems in that area. One issue is the ageing population. I am sure the ageing population is an issue in all our electorates, as it is in Victoria in general. Many senior citizens in Laverton live in and around Bladin Street.

The people in Laverton are divided not only by freeways but also by train lines. It is difficult for senior people living on that side of Laverton to cross over the railway line to pick up the route no. 415 bus service. It would be useful if that bus line could begin its round at the aircraft station in Aviation Road and continue on to Williamstown via Altona. It is only a small thing for the bus to cross over the train line to pick up passengers on the other side instead of their having to climb a long, steep ramp. Many people cannot use that ramp, and it is impossible for anyone in a wheelchair. The pedestrian crossing is a long way away, and to use it is to take your life in your hands. It is an impossible situation. I have already asked the minister to consider the matter.

The opposition wants to ensure that through this bill the government's community service obligations are honoured. It hopes the introduction of the legislation will make life easier for senior citizens, enabling them to get out of their homes and to participate in the community, as we all would like to see.

As part of its obligation the government needs to provide a workable public transport system. Such a service cannot be provided simply by assessing everything in economic terms because by making a profit these community service obligations will not be necessarily looked after. It is for that reason that this amendment has been put forward.

I was interested to hear the first opposition speaker talk about public transport for women. I am sure all members are well aware of the issues. In my electorate many young families rely on public transport. Two of the issues that need to be taken into account are easier access to buses and how people with children, parcels and perhaps fold-up pushers get on and off buses.

I do not want to take up a lot of time. I simply want to put forward the views I have heard expressed in my electorate. Many people in small business, as well as the senior members of our population and our younger women, are interested to know what this bill will offer them. I hope to hear about that from the minister.

Mr PERTON (Doncaster) — Mr Acting Speaker, having listened to the speech of the member for Altona, I join the member for Bulleen in assuring her that her electorate could be better served only by the suggested reforms set out in the bill.

The member for Altona talked about problems confronting the aged in her electorate. She also talked about the problems of the young and young families. In my electorate the reform of the Metbus system and the takeover of the metropolitan bus routes by the National Bus Company have advantaged each of the groups that the member for Altona has just pointed to.

For the first time in the Doncaster electorate buses are travelling along routes that allow young people and older people to avoid the use of motor vehicles. People who want to do their weekly or daily shopping now have the opportunity of having a bus pass within a few hundred metres of their homes. That is good because in the outer-eastern or middle-eastern suburbs that I represent, social isolation has been a problem for people who have not been able to drive a car and particularly for older ethnic people.

Many Chinese people have recently moved into my electorate, and they often bring from Hong Kong or Taiwan their aged parents who are disinclined to get an Australian car licence. Without the additional bus services that have been made available by the private bus companies, those elderly people would lead lives of relative isolation.

The bill introduces a competitive regime into the provision of bus services. It is about introducing the principles of service.

I again point to the benefits of the service in my electorate. As the member of Parliament representing Doncaster during the dark Labor years, I received on average between 5 and 10 complaints a week about the Metbus service. On a week-by-week basis I received regular complaints about late buses, buses not arriving at all, crowded buses, service that was below par and rude behaviour toward passengers. Could anything be done for my constituents about those complaints? The answer was no. Although a complaint was made to him, the then Minister for Transport, the Honourable Peter Spyker, surrounded by his army of advisers, was unable to deal with the service problems of people in my electorate.

The most interesting feature of the change is that if people have a complaint about bus services and ring a company such as the National Bus Company they will be dealt with politely, details of their complaint will be taken and someone will call them back with either an explanation or advice that the problem is being solved.

One of the comments I hear about the improved bus service in my area is that the drivers are polite and friendly. Drivers who were formerly employed by the Met have said to me that because of the new corporate spirit that exists, the mutual respect between management and its employees, and the requirement that schedules are met and that buses run on time, they feel better about their jobs.

A true improvement in the bus service in my area is evident when constituents tell me about bus drivers who smile and who are polite and go out of their way to help people in difficulties, whether it is a mother with a pusher or a mother with too many children and too much shopping. For the first time there is a cooperative mentality. Why is that? Firstly and most importantly the people who work on the buses have been trained. They are working in a new spirit of cooperation and are driving the service. Secondly, there has been an improvement in the capital equipment.

As the honourable member for Bulleen pointed out, the National Bus Company will invest \$20 million over the next six years to improve capital stock. Instead of riding in shabby, second-hand buses my constituents will ride in brand new Mercedes Benz buses.

Mr Batchelor — All of them?

Mr PERTON — Not yet; we are still suffering from the years of mismanagement of the Labor government. New buses that are appropriate for the service being delivered are being well received by my constituents. I invite you, Mr Acting Speaker, to visit the Doncaster electorate, even on a Saturday or a Sunday, to see people using the buses to conduct their business and undertake domestic tasks.

Mr J. F. McGrath — It's a good service.

Mr PERTON — As the honourable member for Warrnambool points out by interjection, it is an excellent service. Another reason for the improved service is the conditions the National Bus Company was required to meet under the tender it won. Those requirements were that average service levels had to be equal to or exceed the existing services; Met tickets and then current concession entitlements had to be honoured; fares were not to exceed the then current Met levels but could be lower — and they are lower; 95 per cent of scheduled journeys were to operate no more than 5 minutes late — that has easily been met; reasonable weekend and off-peak services were to be provided; 95 per cent of

residences were to be within 400 metres of a bus service during the day and within 800 metres of a bus service on Sundays and at night; the office was to be staffed between at least 8 a.m. and 6 p.m., with an answering service for timetable inquiries 7 days a week; a register of complaints was to be maintained; and the minister's mobility and transport strategy for people with disabilities was to be implemented.

Those requirements have been met and exceeded: 77 additional streets in the City of Manningham have received services; 8 major residential estates have received their first direct public transport service; and \$20 million is being invested over 5 years in 157 new buses, including what the honourable member for Bulleen called minibuses and what I call half-sized buses.

Mr Brown — Midi-buses!

Mr PERTON — That is probably the best description. The number of bus kilometres travelled each week is up 15 per cent, the frequency of services to shopping centres has increased by 66 per cent on weekdays, 81 per cent on Saturdays and 206 per cent on Sundays and there are fare reductions of up to 20 per cent for the bus-only tickets that are available on the service. That is a terrific result, particularly for people in my electorate. The increases in frequency of services to shopping centres means better access to customers for the centres and better access to the centres for customers.

The number of extra services provided to Doncaster shoppingtown in my electorate is 225 on weekdays, 198 on Saturdays and 103 on Sundays. As the honourable member for Altona said, young people need mobility and older people who cannot drive or choose not to drive need enhanced mobility. The enhancement of the service in Doncaster has provided better and more reliable access for everyone, including the example given by the honourable member for Altona of a woman with a child in a pusher who finds it easier to travel on a midi-bus and to be dropped off outside her own home.

Mr Brown interjected.

Mr PERTON — As the minister interjects, it is an unbelievable service to have public transport buses pick you up and drop you off outside your home.

Mr Batchelor interjected.

Mr PERTON — The honourable member for Thomastown interjects and talks about trains. One of the first actions of the Cain government — I think the minister may have been the Honourable Steve Crabb — was to sell the rail reservation for East Doncaster.

Mr Brown — Then sell the trains!

Mr PERTON — It sold the trains and leased them back. The sale of the reservation removed the possibility of having a heavy rail service for East Doncaster. So, the only practical public transport solution for the people of Doncaster and Templestowe is the bus service they currently enjoy.

The number of extra services provided to The Pines, one of the medium-sized shopping centres in my electorate, is 63 on weekdays, 37 on Saturdays and 23 on Sundays. That has meant a much better service for the individuals involved.

I have referred to the improvements made in the Doncaster area as a result of the reforms leading to the National Bus Company taking over certain bus routes. Why was there need for reform? When the Cain Labor government was elected in 1982 the subsidy for route bus services was approximately \$16 million per year. By the time the Labor government had introduced its Met ticketing system — with its revenue shortfall, its new interim agreements and its further interim agreements, its unsuccessful tender process and ultimately, in 1990, its negotiated seven-year contracts with the industry — the cost of route bus services to the taxpayer was \$106 million!

There was then no certainty that the government was receiving value for money; in fact, the contrary was probably the case. The contracts making up the cheapest quartile were 42 per cent cheaper after the most expensive quartile — an indication of problems with the tender process. A federal government Industry Commission study revealed that Melbourne private bus operators were about 10 per cent less efficient than Sydney or Brisbane private bus operators, based on a sample of operators.

Another concern was that operators had never competed for the right to provide services and further concerns were that operators received no direct reward for attracting additional customers. One of the delights of the National Bus Company is that it actually wants to increase the number of people using its services.

Mr Batchelor interjected.

Mr PERTON — That has occurred; operators do not draw the attention of the department to poorly patronised services. Under the old arrangement operators were not rewarded for excellent service; no performance standards were included in the contracts and a fixed vehicle replacement program was to be fully funded by the government.

A number of independent comments were made about those undesirable features of the system introduced by the Labor government. The negative analysis of the system contained in the Auditor-General's report on ministerial portfolios of May 1989 was reinforced in the May 1994 report. The industry was further examined in an Industry Commission report of February 1994 on urban transport as well as in a report of the Victorian Commission of Audit of May 1993. The undisputed conclusion of those independent studies was that the reforms enabled by this legislation are necessary. The February 1994 Industry Commission report states:

Every (transport) operator, whether publicly or privately owned, should be subject to regular competition. This is the most effective way of securing the lowest possible operating costs and the service improvements that people value most.

In his May 1989 report on ministerial portfolios the Auditor-General states:

Audit concluded that the open-ended nature of (school) bus contractual arrangements is not conducive to the achievement of maximum efficiency in the management of bus services. Fixed service terms and periodic retendering procedures are generally viewed as fundamental to establishing quality assurance mechanisms for large numbers of contracts.

The bill introduces accreditation on the basis that it ensures that members of the bus industry meet minimum standards of management competence and probity, passenger and vehicle safety.

Mr Batchelor interjected.

Mr PERTON — Don't you speak English? Are you too busy running around printing tickets? The honourable member for Thomastown is hardly one to challenge my ability to read the terms. He so mismanaged his own time and scheduling that during the winter recess he was on holidays when the government announced certain major reforms to

the industry! That hardly inspires confidence in his ability to act as a shadow minister and a foil to the government, which is his duty.

The standards have been proposed by a ministerial working party comprising the Department of Transport, the Victorian Bus Proprietors Association, bus operators and Vicroads. The bill is enabling legislation, and accreditation standards will vary depending on the type of service provided by an operator — for example, route bus, tour service, charter service and ultimately private, courtesy and hire-drive vehicles.

The final standards will be established by regulation following industry consultation. As I understand it, the government has already set out in its consultations with the operators some of the key elements of the proposed route service contracts. There will be an element of exclusivity for the service period, but each of the key elements in the proposed route service contracts will operate in the interests of the community because that is what we are ultimately talking about.

I presume the honourable member for Altona and I are in full agreement on the question that any reform of the bus industry must be in the interests of those who earn their living by providing those services and particularly of those who need public transport services. Those customers are overwhelmingly those who are too young to drive motor vehicles, the elderly who choose no longer to drive their vehicles and, of course, those whose personal preferences or incomes make it desirable to use public rather than private transport.

On every test, whether it be service or price, each group in my area is already advantaged by the reforms. Whether they live in Altona or any other area of Melbourne serviced by Metbus or contracted private bus services, all Victorian taxpayers, consumers and providers of services will be the winners.

I pay tribute to the Minister for Public Transport. The government has been on about fixing up Victoria so there is a sense of confidence in the community. In preparing this legislation and these reforms the minister has helped that process.

Ms Marple interjected.

Mr PERTON — The honourable member for Altona laughs. I suggest that she should remember the sorry history of the scratch ticket under the

former Labor government and its attitude towards public transport. The honourable members for Altona and Pascoe Vale, who seem to have no ability other than to whine and carp, would have been well served had they attended the lecture delivered last night by Mr John Gough, one of Australia's most distinguished businessmen. Members of the Labor Party who disagree should ask their federal colleagues about the great contribution Mr Gough has made to Australian exports, education and business education. In his speech Mr Gough said that the confidence in Victoria is attributable to the government and the Premier, to the can-do nature of the government and to the discipline and vision of the government.

In March the Business Council of Australia held a conference at which its members asked for a vision for 2010. Last night John Gough paid tribute to the Victorian state government for not looking to 2000 or 2010 but through to 2050. That vision is taking the community with it. It was not me either as a Liberal propagandist or a Liberal Party spokesperson but John Gough who asked, 'If a Victorian state government can do it, why not the federal Labor government with its access to planners and academics? Why can it provide only a 10 or 25-year vision and not a 60-year vision?'

That is what the government is about: providing a vision and implementing reforms based on the principle that the community as a whole should benefit rather than narrow sectional interests and the unions.

The principles underlying the legislation and the reforms are good. The amendment is typical of the opposition, which introduces reasoned amendments to delay bill after bill. Where was the honourable member for Thomastown during the winter break? Was he consulting with industry during June, July and August? The shadow minister has been derelict in his duty to both his party and the community because he has failed to prepare himself adequately for this debate. He has failed either to make constructive suggestions for change or to endorse the reforms in the bill. I commend the bill to the house.

Government amendments circulated by Mr BROWN (Minister for Public Transport) pursuant to sessional orders.

Mr THOMSON (Pascoe Vale) — In his second-reading speech the Minister for Public Transport said the purpose of the bill is to provide

for the removal of regulatory restrictions on competition in the road passenger public transport sector, ensure that public transport services continue to be provided in the public interest, and increase the range of skills and experience available to the Public Transport Corporation board of management by providing for additional appointments to the board. I am sure both sides of Parliament support those objectives.

The bill covers the transport of passengers for hire or reward by commercial passenger road vehicles but excludes taxicabs, hire cars and vehicles used solely for the carriage of passengers for religious, philanthropic, educational, sporting or social purposes. The bill does not affect the use of most vehicles currently licensed as special vehicles — that is, vehicles used for weddings, social events and tourist activities. The minister also said regulations may be made under the bill to address safety issues associated with the provision of other forms of road-based public transport, including horse-drawn coaches and other vehicles drawn by draught animals, steam and traction engine rides, motorcycle pillion rides and the like.

I commend the minister on introducing the provisions. Opposition members do not often commend ministers on actions they have taken in response to concerns that have been raised with them. I do not know whether ministers go out of their way to do so, but on this occasion I acknowledge what the minister has done. In June 1994 I wrote to him on behalf of one of my constituents, Mrs Deborah Dalglish of 12 Louisville Avenue, Pascoe Vale South. In January 1993 she had the appalling experience of having to deal with the death of her four-year-old son, who was crushed by a horse-drawn coach that was on a 15-minute tour around Beechworth. Her son was crushed after falling out when the coach door opened. According to the coroner's report and eyewitness accounts the door opened when her son, Bram, was standing with both hands on top of the door, so either the door or the hinges were faulty.

Mrs Dalglish discovered that the Transport Accident Commission did not consider the accident to have been a road accident, and as a result she received no assistance with funeral or other expenses. Indeed, Mr and Mrs Dalglish needed help from their parents to pay for the funeral. Of even greater concern to Mrs Dalglish was the fact that the coach was not registered or licensed in any way and that there were no registration or licensing

requirements for coaches that provided for road safety or roadworthiness checks.

I was most concerned when Mrs Dalglish raised the issue with me. I wrote to the Minister for Public Transport, the Minister for Roads and Ports and the Minister for Industry Services, because I was not sure where the portfolio responsibility lay. I asked each of them to investigate the safety aspects of horse-drawn coaches, which have recently proliferated in both Melbourne and tourist destinations in country Victoria. At the time I expressed the view that vehicles such as those which were hired by members of the public and which were operated on full profit bases should be subject to licensing or other legislative arrangements to encourage the carrying out of appropriate safety checks. Mrs Dalglish was not able to raise the issue publicly until recently because of the grief and distress she suffered as a result of the loss of her son.

The responses I received from the Minister for Roads and Ports and the Minister for Industry Services were different from the response I received from the Minister for Public Transport, who said he was also concerned about the death of young Bram Dalglish and believed the issue should be considered. He said that in its review of the act he had asked his department to examine the implication of the proposals I had put forward. I discussed the matter with Mrs Dalglish, and we were both delighted that interest was being shown in the issue.

I want to make a couple of points about the response of the Minister for Roads and Ports, who said that horse-drawn vehicles were covered by equipment safety legislation if they were used at shows or for entertainment purposes. However, the question arises as to whether the horse-drawn vehicle used at Beechworth fell within that definition or whether the accident was an occupational health and safety issue. The minister said horse-drawn vehicles hired by members of the public would not be covered.

The Minister for Roads and Ports also referred to local laws requiring permits that are issued by councils and include indemnity provisions and insurance against damages. Unfortunately, it is possible to sort those requirements by taking out insurance on behalf of people who have no capacity to meet any insurance obligations. In the case of Mrs Dalglish and her son it was found that the insurance arrangements that were supposed to cover the coach involved in her son's death had not been made. In other words, the insurance arrangements may not have been adequately addressed.

The bill contains some relevant provisions. Clause 5 requires an operator to be accredited; it provides that a person must not operate a road transport passenger service within the state without being accredited in accordance with this legislation.

'Road transport passenger service' is defined as:

... a service consisting of the carriage of passengers for hire or reward —

- (a) by a bus; or
- (b) by any other class of vehicle that is prescribed for the purposes of this definition ...

That gives the minister and, I should think, the secretary to the department a power to prescribe such vehicles. I hope regulations concerning this legislation are made to address such concerns and ensure safety considerations are given due regard.

I place on record my appreciation of the minister's willingness to address the issue and of his chief of staff, who kept me informed on progress in the development of the legislation. At some level in the business of life and good government, government has to attempt to address concerns, stripped of political rhetoric and ideology — and clause 5 is an example of that.

I turn now to bus services in the Fawkner area. The Fawkner Combined Pensioners Association has expressed concern about the time at which buses detour from the main Fawkner bus service route into Argyle and Lorne streets. In particular, the last bus returning from the Coburg area and travelling along this detour is relatively early in the afternoon. The net effect is that many Fawkner residents simply do not have time to go to the Coburg shopping centre or other preferred destinations to do their shopping, visit the family doctor and so on and still catch the bus home.

The association has expressed the view — a view I share — that the establishment of one or two bus services earlier or particularly later than existing services would greatly increase the value of the bus service to residents in the south-east area of Fawkner.

In June this year I wrote to the Chief Executive of the Public Transport Corporation after the Fawkner Combined Pensioners Association approached me, asking whether it would be possible to introduce additional services or reallocate existing services in timetable arrangements to increase the time Fawkner residents have to conduct their shopping and meet other daily needs. The Public Transport

Corporation responded in fairly negative terms, indicating that the bus company was not all that anxious to make such arrangements.

I have since raised the issue with officers in the bus services section of the Public Transport Corporation. I asked them to consider whether it is possible to reallocate existing services such that additional money would not be required. If a later bus were to detour through south-east Fawkner, the flexibility of the bus service to Coburg would be increased. People would be able to come back at a later time. It is possible to increase the convenience of the service without the government or the bus company incurring additional costs. I put on record that request of the minister against the background of legislation aimed at enhancing public transport competition and professedly seeking to enhance public transport services.

The honourable member for Doncaster said so far as he is concerned the government's reforms in public transport have been a shining success. I suggest the key yardstick of success in public transport is patronage — that is, people wanting to use the service. As far as I can tell, patronage has diminished with the government's changes and cutbacks in the public transport service area.

I understand that other honourable members wish to speak on the bill, so I will not say much more and give them the opportunity to speak. I hope the bill leads to improved public transport competition and quality of service in the metropolitan area and Victoria generally. Our public transport services are of immense importance to people who do not have access to cars. Older people, often women and often younger people make much use of public transport services.

Appropriate service quality and standards and competition within the public transport area are important. Members of the opposition have indicated their concern about whether the legislation will achieve the outcomes it seeks to achieve. We certainly hope it achieves those outcomes. I particularly welcome those provisions within the legislation I sought from the minister last year, which I hope will go some way towards improving the safety of horse-drawn vehicles and other vehicles of that character.

Dr DEAN (Berwick) — Much of what I have to say has already been said by members on this side of the house and to some extent members on the other side of the house. Certainly I support the concluding

comments of the honourable member for Pascoe Vale, underlining the importance of legislation of this nature.

The use of buses in transporting the public to work and other locations is an important part and makes up a large percentage of the public transport system. We tend to concentrate on trains and trams because they are so visible and perhaps their structures are more expensive; nevertheless, the bus industry is a significant part of the public transport system in the state.

The first point I make is that the legislation is flexible. It is what I would call enabling legislation. One thing abundantly clear about the bus industry is its complexity. There is a wide variety of operators in a wide variety of locations, with different aspects and characteristics. Some operators are very business oriented; others are more of a family enterprise. Some bus operators operate in the city in a commercial way, while some in the country operate in a far more personal way.

We have allotted to the bus industry the task of transporting our school children. As a consequence, we have placed in it great responsibility for the safety of our young people. This is another characteristic of the industry that gives it a complexity not found in other forms of mass public transport. Therefore, if the government were to attempt to legislate in great detail how reform should occur it would end up attempting to reform a flexible and complex area within an entirely inappropriate straitjacket, rigid legislative framework.

I congratulate the minister because he has chosen an appropriate and proper method to introduce reform into the public transport area by using broad, enabling legislation as a framework upon which the reforms can be hung.

The honourable member for Doncaster asked 'Why reform?'. That question must be answered in detail when it concerns legislation that reforms a vital part of public transport. I shall answer it in a slightly different way from the honourable member for Doncaster. Over the past three years the Victorian government has recognised that the only way Victoria can resume its premier position in Australia is by imposing best practice on all its industry, whether it be in the private sector or performing what is essentially a public service.

The government has observed throughout the world that the way to achieve best practice is to introduce either the entire market system or components of it. Gone are the days of the 1960s and 1970s when it was thought best practice could be imposed by regulation from above. The results of attempts to achieve best practice by that process can be seen throughout Eastern Europe. Achieving best practice by competition is an interesting concept because it is a process that devolves centralised power from the government or a centralised body to the individual. If you are to do that you must have faith in the individual and you must believe that the people in the community who are actually handling the day-to-day affairs of business and other enterprises are the best people to make decisions about how they should operate. As a consequence it is important that those people be given the incentive, power and ability to use their own initiative. Essentially, that is what each and every one of the public sector reforms introduced by the Victorian government attempts to do. The government's having faith in the individual and saying that the people in the community can sometimes make the decisions better than the people in government, if given the chance, has meant that Victorian public enterprise has achieved enormous efficiencies.

Another interesting aspect of this process is public accountability. Those on the other side of the house suggest that it is necessary for government to keep a hand on the reins of the various enterprises, whether they be public or private, in order to achieve public accountability. Nothing could be further from the truth. Retaining the reins of power and control in the hands of the government effectively creates conditions in which accountability is lost. If you give the power back to the community, which is operating various enterprises and concerns, it is then accountable for its actions. Those in power do not have control or the ability to skew matters in their own favour. Not only does giving power back to those in industry mean greater efficiencies are achieved, it also means greater accountability is achieved.

There is another reason, apart from the general philosophical reasons I have just given, for reforming the bus industry and increasing its efficiency by using market forces and competition, and that is that the Auditor-General, who is Victoria's watchdog, has made it clear on more than one occasion that something must be done in this area. In 1989 and again in 1994 the Auditor-General said that, as a consequence of the detailed contracts written by the regulators not being in a public

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tender system and because aspects of them were clearly nonsensical, those contracts should no longer be tolerated.

I listened to the honourable member for Thomastown, who said that he believes some of these reforms are inappropriate or unwarranted, but how would he would deal with the direct criticisms made by the Auditor-General? How would he grapple with these problems and make the necessary changes? The Auditor-General was unusually frank about the bus contracts. He said there must be accountability through the tendering process. One would hope the honourable member for Thomastown would abide by the public watchdog's direction that that be done. The question is left open for the honourable member for Thomastown. Clearly the contracts are unacceptable. I will come back to that in a short while.

To answer the questions 'Why should the market be reformed?' and 'Are these reforms appropriate?' you must look at the nature of the market. In this particular case there are some statistics that assist us in determining how we should go about that reform. There are 795 contracts written with both route bus operators and school bus operators, 668 of which are school bus contracts. The contracts are worth \$245 million, of which school bus contracts account for only \$83 million. It is clear from those statistics that the only way to grapple with reform is to grapple with the contracts, and the only way an appropriate process can be introduced is through a tendering system that, because it puts the contracts in a competitive environment, contains some elements of the market and competition.

A dramatic difference can be seen between school bus contracts and route bus contracts. The major reform must occur in the route bus contract area. Although there is a high percentage of school bus contracts, so far as public money is concerned they represent a relatively small proportion of the value of the contracts. The government is concerned about how public money is spent.

When looking at the market it is important also to look at the types of contracts within the market, and as I have already mentioned there is a big difference between route bus contracts and school bus contracts. The route bus contract is a full-cost contract that expires in June 1997. That sets the parameters for reform in this area. These contracts are at a fixed cost but they end in 1997.

I have been pleased to be a member of a parliamentary committee that travelled around Victoria. A question often asked, usually by me, was, 'What is to happen in 1997?'.

Clearly what was to happen in 1997 was that the contract was to come to an end. As a matter of analysis, determining how to cope with reforms in the market is another factor that must be taken into account. School bus contracts were also full-cost contracts, but of a much more detailed nature. An analysis of the contract was necessary and was certainly undertaken by the Auditor-General. One of the criticisms that he had of the system was the nature of those contracts, and the items in the contracts required urgent review — they were based on tenders.

What strikes one about the system in trying to introduce competitive market factors into public bus operations in Victoria is that in neither route nor school buses is there one iota of incentive. For a person who is attempting to use competition to breed efficiency and accountability, having no incentive whatsoever in the contract is a poor start and a matter of great concern. Further, there are no real checks and balances in the contracts as they are currently written. For a person who is intent on bringing efficiency, accountability and best practice into the bus industry, having no appropriate check or balance mechanism is a matter of concern. The buses are operating on government money — taxpayers' money — and as a consequence checks and balances and incentive must become matters of major concern for the government.

The process of providing incentive is probably irrelevant in school buses. Clearly school buses have a fixed clientele. They have to service certain schools that have a certain number of children, and no matter how well the buses are run the schools will always have the same number of children. As we were travelling around Victoria, on one occasion a young fellow who owned a school bus was asked by the chairman of the committee what would happen if the number of schoolchildren dropped below the level that justified running his bus. He gave an answer which may have had some reference to incentive in it, but we are still puzzled by what he said. He said, 'I would go around and visit all the families'. We had no idea what he meant by that — there was stunned silence in the room. Clearly there was a level of incentive being exercised by that young proprietor.

The fact that within the school bus contract depreciation went on for the life of the bus was clearly something that the Auditor-General found unacceptable. On questioning, school bus proprietors agreed that on a proper contract basis it was unacceptable. They said that certain costs that are currently not in the contract should be in the government contract, and that if those costs were recognised, the concept of depreciation for the life of the bus, which can sometimes be as long as 20 years, would mean that by the time you finished paying for the depreciation it had paid for the bus twice over. However, they realised that was inappropriate. No reasonable person could feel it was appropriate. Those were some of the matters that had to be examined when we looked at the market.

One matter of concern regarding school bus contracts was the business discount. Although the rest of the costs were indexed and as time went by the figures for tyres, housing or whatever was in the contract increased, the discount that was originally tendered remained static. It was a particular quantum and was not indexed. Statistics show clearly that that was another matter that had to be addressed. The statistics I have been able to find show that the average contract age for school buses is a surprising 31 years. The average industry discount is only 3.4 per cent, but contracts tendered in 1993, of which there were about 13, average a discount of 15.6 per cent. As a proportion of the contract that discount has slowly become smaller. There was general agreement that this had to be examined. Certainly the Auditor-General felt that that was the case. Items such as sick leave and administration costs are not included in the contract. They were raised as matters that should be examined.

I have been discussing my trip with the committee to some extent, but I shall give some background to it. We did a lot of difficult work and it was exhausting. Within a couple of weeks we visited a number of centres, starting with Melbourne, where we held three public meetings. We held public meetings also in Geelong, Mildura, Swan Hill, Shepparton, Wangaratta, Bendigo, Horsham, Warrnambool, Ballarat, Bairnsdale and Leongatha. The four-member delegation, led by Mr Craige from the other place, was pleased with the response from the bus operators. The smallest meeting was attended by about 50 operators, but at times there were up to 100 people who were extremely keen on communicating their concerns to us and did so in a most professional way.

I found that the most useful part of the process, after formal discussions had been aired, was the time after the meeting when we put aside half an hour to an hour to mingle and talk with the bus proprietors on a one-to-one basis. It was amazing to hear the number of matters raised then that people were perhaps too shy to raise in the public forum.

I learnt a lot about buses that I did not previously know. After the process I realised that I really had known nothing about the bus industry. Although I have learnt a great deal, there is still a lot more to learn. There were varying levels of business acumen among those involved in the bus industry. People took different business approaches. Some people saw running a school bus service very much as a family concern. For example, in some cases where a farmer ran a school bus, it was operated only in the morning and afternoon. There was no desire to use the bus for charter work; it was seen very much as an adjunct to the other business.

On the other hand there were major bus companies such as Ventura that saw it as a business enterprise and a way of running a business efficiently to make good profits, which is what business is all about. They were separate attitudes. The most marked differences occurred between people in the country and those in the city. People with school buses in the city operated the services as a business proposition. The relationship between the school children and the bus driver was not nearly as close as that in the country. I can understand that in the country it is necessary to have a good relationship between the children, their parents and the bus driver because of the miles of open country where children have to travel and wait at corners in isolated areas. It was a situation where unless the parents of the children had faith in the bus driver they would simply not put their children on the school bus. I am not saying there is not also a need to have great faith in school bus drivers in the city, but in the city there is much more activity and access to people, which does not occur in the country.

Other aspects that were interesting were the way in which school buses were operated in the country. As a city person I found it fascinating. Quite often the school bus was the centre of the small town's activities. I recall one case of a second or third generation bus driver — I think he would have been about 55 or 60 — who had been driving the bus for about 20 years and who on the weekends became the driver for the local footy team free of charge.

Sitting suspended 6.31 p.m. until 8.03 p.m.

Dr DEAN — Prior to the suspension of the sitting for dinner I was in the process of outlining some of the differences between country and city bus operations and I was referring to some of the country experiences our committee had had. I referred to the different requirements of country people and the different way in which country bus operators see their jobs.

In particular I was referring to a school bus operator who had been driving the bus for 20 or 30 years, and who had a relationship with those in the community which was very different from the sort of relationship you would expect in the city.

On the weekends his bus would be free for the use of the local footy team. It was a small country town and he had played something like 400 games himself — although that figure tended to increase as the story was told from town to town. Nevertheless he had played between 200 and 400 games with his team and had attended between 600 and 700 games because he would take the footy team to wherever the game was being played, don the white coat and become the goal umpire.

After the match he would drive them all back home, free of charge. If the team had won he would buy them a slab and if they lost they'd buy him a beer. I think they probably got the better deal out of it, but it indicates the way country towns and country bus operators view the obligations they have to their communities. Similarly, if there was a fire or other emergency in a country town, the bus would be used to transport people during that emergency.

One of the things that really struck me was that because the bus operator is so well known and respected in the country town, parents were quite happy to have their children under the care of that person. If mum was not at the bus stop, which might be 40 or 50 kilometres from the school, the usual thing was for the child or children to stay with the bus operator and go back to his family home, in the knowledge that when the mother did turn up, she would know exactly where to pick up the children, and would know they were safe. In fact on occasions, if mum was not there the bus operator would either wait or go up the drive to their home.

Those sorts of arrangements were occurring in the country, so the question is: if you are going to impose a market regime to try to get competition, the proper economic rationalist must say, 'I have got to put some value on those services; first of all, are they services we want to maintain?'. And quite

clearly they are. Some would say they are almost priceless, but certainly if you are to inject competition and have a proper market approach to those country bus operators, then by rights you have to price those services.

As a consequence of pricing those services you soon come to the conclusion that you have to treat country bus operators, and school bus operators in particular, in a different way from those of route bus operators. In due course the minister will expand on that.

I also found that the hundreds of bus operators we met were quite happy with accreditation. They welcomed the process. I cannot recall on one occasion a bus operator saying to me that he was in any way worried or had any concerns about the accreditation process. They were very proud of the way they kept their buses and therefore felt there would be no expense or difficulty for them in complying with those particular requirements.

In general, as a consequence of the trip around the country it became clear, firstly, that bus proprietors realised that their existing contracts needed to be altered to ensure that the competitive system had some place in their bus contracts, so that both the public and they could ensure that the service was efficient.

The process has now gone further down the track — and I will leave it to the minister to outline some of the proposals that have come from this exercise. I believe the basis upon which the minister has made his decision in these matters, and the introduction of competition into the bus industry, is well based. It is based on facts that have been derived from extensive consultation, and it will display the difference between school bus operators and route bus operators. As a consequence, I congratulate him on his efforts and conclusions.

Mr BROWN (Minister for Public Transport) — I thank the members for Thomastown, Bulleen, Altona, Doncaster, Pascoe Vale and Berwick for their contributions to the debate on this important issue. Many hundreds of thousands of people in Melbourne and a large number of people in rural Victoria rely on bus transportation for their everyday needs — be it a journey to work or school, for shopping or for pleasure. Around the state tens of thousands of schoolchildren rely on buses to take them to school.

It is well understood that the government has made reforms in all areas across a range of undertakings. In the past three years there have been wide-sweeping reforms in local government and a complete and total restructure of the education system. Similar reforms have occurred in the health portfolio. As seen in today's budget, after only three years general good health has been restored to the state's finances. Certainly the trend is that this government pays its bills, unlike the former government, and it is slowly tackling the burden of crippling debt it inherited from the former Labor government.

Much reform has been undertaken in the transport portfolio. The taxi industry has experienced quite dramatic reform.

Mr Hamilton interjected.

Mr BROWN — I do not claim there are no reforms left to make or that there are no challenges left to rise to, but the bottom line is that much change has been undertaken by the government. In the area I administer there have been wide-sweeping changes in the way trains are run and in how they are cleaned. It is the same with stations; we are introducing premium stations to Melbourne. Wide-sweeping reforms are being made to the tram services, and it was clear that changes to the bus system were long overdue.

What needs to be said up-front is that in the late-1980s the then Labor government took steps to make reforms that were equally as dramatic as this government's reforms with regard to bus proprietors. The tragedy of that time was that the then government created open warfare with the bus industry and no-one, including the bus proprietors, benefited from the experience. Many good people were hurt. Certainly the then Labor government was hurt electorally as a result of what transpired, but it was most unfortunate from the viewpoint of the state that the reforms were not achieved at that time on the basis of a cooperative attitude.

That is the difference between what the Labor government attempted — and you could say the same with local government — and what we have with this bill. For the past three months the government has had widespread consultation with the bus industry. A committee was established headed by my parliamentary secretary, the Honourable Geoff Craige in another place and comprising his upper house colleagues, the Honourable Andrew Brideson and the Honourable

Peter Hall, and the honourable members for Berwick and Warrnambool. I pay tribute to that committee.

The members of the committee did a lot of good work statewide. They had numerous meetings and worked tirelessly to give the industry an opportunity for input and consultation. Three meetings were conducted in Melbourne and regional meetings were held in Geelong, Mildura, Swan Hill, Shepparton, Wangaratta, Bendigo, Horsham, Warrnambool, Ballarat, Bairnsdale and at Leongatha.

The government went to great lengths to ensure that, prior to those meetings taking place, bus proprietors were informed of the dates and times of the meetings in their areas and it did all it could to make sure that as many as possible attended. Clearly, the people representing the vast majority of bus operators in Victoria met with the committee and consulted with them, and so I pay tribute to the work of the committee.

The changes to be made are overdue and inevitable and are in no way a reflection on the bus industry and its performance in the past. It has given good service to the community. For a long period it has provided to the community a safe and reliable bus service of a high standard. That fact being acknowledged — and I do so quite openly — however, does not mean change should never come. It does not mean a better way should not be considered. It does not mean that change should not be addressed if it can save the taxpayers of Victoria a lot of money, and that has been the experience in transport in all the reforms to date.

Firstly, I shall deal with route bus operations. Melbourne will now have the model that exists in other places of an incentive-based operation. The contracts currently in place for most of the operators with route buses mean they are recompensed on a per-kilometre basis. There is no incentive to improve the service. The bus can run empty and the operators still get paid the same amount of money. Buses often do run empty or close to empty. I do not blame the bus proprietors for that situation; successive governments have tolerated it. I say again that the Labor government acknowledged that the matter needed to be addressed, attempted to do it, but did not do it properly. In fact, it mucked it up in a spectacular way, which was its wont.

Without any doubt the National Bus Company model has shown that there is a better way than the way route bus services are currently operated and

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the takeover by NBC of the bulk of the former bus fleet run by the Met has led to a saving far in excess of \$10 million per annum to the public purse. One contract that saves more than \$10 million per annum is very much in the interests of the taxpayers of Victoria in anybody's language. However, that is only part of the story. The services have improved demonstrably in the areas taken over by the National Bus Company. Some of those improvements have been referred to in this debate.

The model NBC operates under — which will be the model the changes in this bill will occasion — will see a lowering in cost to Victorian taxpayers and a decided improvement to the services offered to commuters.

Any opposition that opposed this bill would be derelict in its duty to the community and to the taxpayers of this state. I point out to the Labor Party that it endeavoured to make similar changes itself some few years ago when Jim Kennan was the transport minister. It would be hypocritical if it opposed these measures, and the community would see that opposition for what it would be — that is, raw politics. I hope opposition members will not stoop to that level.

I hope they do not stoop to that level. The bottom line is that the NBC incentive model has been shown to be better. That is the model the bill will introduce into Melbourne and those regional areas where bus route operations exist.

The government believes that, as a result of these measures, taxpayers will save a considerable amount of money and the people who run the services will have the opportunity to prosper. The government is not on about ruining any business. It wants businesses to prosper — and the NBC continues to prosper on a daily basis.

After lengthy consultation the government has decided to negotiate with existing operators on the areas they currently service, an objective the amendments will achieve. Between now and the expiration of the contracts in approximately two years' time — and sooner rather than later — we will negotiate the routes with the operators to see whether the existing contracts can be changed over to include the Farebox incentive model.

If the negotiations are successful the government will be prepared to give the route bus operators 10-year contracts. At the end of each 10-year contract for school buses the government proposes to

renegotiate the terms and conditions; and if that is successful the bus proprietors will each get a second 10-year term. In other words they will have the first opportunity of contracting to supply the services.

Mr Batchelor interjected.

Mr BROWN — The shadow minister laughs, but this is a very important matter for those involved. The change will not only save the taxpayers a vast amount of money but bring in improved services. In his contribution the shadow minister said he wanted the government to consider the future of these businesses. I suggest he should not laugh but rather seriously consider what I am saying.

If, when a contract comes to an end after the first 10 years we are unable to satisfactorily negotiate a second 10-year term, arbitration will be undertaken. That is, an independent arbiter will be brought in to make changes, based on his recommendation. If a recommendation is rejected, the operation will go to tender. This situation applies to school buses. We are prepared to negotiate with existing operators for contracts that will give them certainty.

I stand corrected: what I said about route bus operations will actually apply to school bus operations. There will be no automatic extensions at the end of the first 10-year contracts for route bus operators. We will negotiate now for 10-year contracts, but at the end of that time they will go to tender without the opportunity for further extension. However, we will negotiate forthwith for 10-year school bus contracts, and after that 10 years we will be prepared to renegotiate. As I said, I correct myself in that regard: school bus operators, not bus route operators, will have the opportunity for second terms of 10 years. If those negotiations are unsuccessful, independent arbitration will be undertaken. If the recommendations of an independent arbitrator are rejected, at the end of the first 10 years even school bus contracts will come to an end and we would move to open public tender.

The services will continue to be provided by good Victorians — in most cases, by the incumbents. The opposition should support the government's measures. However, we reject outright its amendment.

Amendment negatived.

The SPEAKER — Order! I have already informed the house that the second reading of this bill requires

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to be passed by an absolute majority of the house. I ask the Clerk to ring the bells.

Bells rung.

Required number of members having assembled in chamber:

Motion agreed to by absolute majority.

Read second time.

Committed.

Committee

Clauses 1 to 9 agreed to.

Clause 10

Mr BROWN (Minister for Public Transport) — I move:

1. Clause 10, lines 21 and 22, omit "has been found guilty of a disqualifying offence" and insert "is not the holder of a driver's authority granted under section 32 of this Act or of a driver's certificate granted under section 156(2) of the Transport Act 1983 and in force immediately before the commencement of this section".
2. Clause 10, page 8, line 1, omit "Chief Commissioner of Police" and insert "Secretary".

The proposed amendments will remove the requirement that accreditation be subject to the condition that no person who has been found guilty of a disqualifying offence will be employed as a driver and substitute the condition that no-one can be employed unless he or she has a driver's authority.

This is a transitional provision that exempts provisional drivers until their driver certificates expire. The reference to the Chief Commissioner of Police is replaced by a reference to the secretary who will make character checks under the amendment.

The two amendments to clause 10 arise directly from negotiations that have transpired in discussions of the committee chaired by my colleague, the Honourable Geoff Craige in another place, and show the willingness of the government to consider representations that have been made.

Amendments agreed to; amended clause agreed to.

Clause 11

Mr BROWN (Minister for Public Transport) — I move:

3. Clause 11, after line 14 insert —

"() Except where the Secretary considers it necessary to take action in the interests of public safety, the Secretary must, before taking action under sub-section (1)(a), give the accredited person written notice of the intended action and allow the person to make written representations about the intended action within 10 working days."

Concern has been expressed that the secretary could act unilaterally under 11(2)(a) and that provision should be made for written notice to be given to an operator with 10 working days set aside for the operator to respond before conditions may be changed. The proposed amendment will make these changes except in cases involving public safety where the secretary must be able to act immediately.

Victoria has an excellent public safety record in respect of school buses. Again I pay tribute to the industry in that regard. The changes that will be brought in by the school bus proprietors being offered on a first right of refusal basis, a 10-year contract, is in part an acknowledgment of the excellent service they have provided. As I said in the second-reading speech debate, at the end of that 10 years we will then negotiate for a further extension of another 10-year period.

Mr Sheehan interjected.

Mr BROWN — It is not a guarantee. They have to agree to accept the terms of the conditions laid down by the government of the day. In relation to the cost of providing the school bus service, the Auditor-General has addressed a number of issues, such as depreciation, over a period of time. In many instances depreciation has been paid over the life of the bus, and in some cases that exceeds 20 years. Under the changes the government is proposing that will cease — certainly it is something that should cease in the public interest — and the depreciation will be over a 10-year period being the life of the original contract. This gives certainty to the existing school bus proprietors. Provided they are prepared to negotiate with the government they will be able to secure very long-term tenure on their existing bus operations, dissimilar for the route operators to the degree that they will be offered one term of 10 years. That will be by negotiation which means that we will see the improved services along the NBC model. But as I made clear before, at the end of that

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10-year period for route buses we would not then be seeking to renegotiate a further 10 years. That original 10-year term would then come to an end and we would move to open public tender for the operations of those route bus services at that time.

Amendment agreed to; amended clause agreed to.

Clauses 12 to 14 agreed to.

Clause 15

Mr BROWN (Minister for Public Transport) — I move:

4. Clause 15, page 10, line 9, after "later" insert "than".

This is fairly straightforward amendment. The effect of the amendment is to insert a missing word.

Amendment agreed to; amended clause agreed to.

Clause 16

Mr BROWN (Minister for Public Transport) — I move:

5. Clause 16, page 11, line 5, omit "(c)" and insert "(b)".
6. Clause 16, page 11, line 5, omit "18" and insert "20(3)(b)(iii)".

There is a minor drafting error in clause 16(4) which will be corrected. Amendment 6 refers to section 16(4)(c), and the reference in that provision to section 18 should be to section 20(3)(b)(iii). Minor drafting amendments are being fixed.

Amendments agreed to; amended clause agreed to.

Clauses 17 to 20 agreed to.

Clause 21

Mr BROWN (Minister for Public Transport) — I move:

7. Clause 21, page 14, line 2, omit "18" and insert "20".

Likewise this is a minor machinery amendment required following the amendment to clause 16. It is just tidying up a minor issue.

Amendment agreed to; amended clause agreed to.

Clauses 22 to 26 agreed to.

Clause 27

Mr BROWN (Minister for Public Transport) — I move:

8. Clause 27, lines 4 to 10, omit sub-clauses (2) and (3).
9. Clause 27, page 17, after line 3 insert —
"(e) the transfer, assignment, subcontracting or other dealing with any right, power or duty under the contract;"
10. Clause 27, page 17, line 11, omit "(5) or (6)" and insert "(3) or (4)".

Many of these issues have arisen from negotiations Geoff Craige's committee has had with bus proprietors statewide and here in the City of Melbourne and other regional centres. Amendment 8 seeks to omit subsections (2) and (3), which limit contracts to seven years without the minister's approval. This can be covered administratively if required and therefore it is not necessary.

Amendment 9 relates to the proposed omission of clause 30, which allows the assignment of contracts only with the secretary's approval. It means that clause 27 needs to be amended to permit contracts to cover this matter. That is the reason for that amendment.

Amendment 10 is a machinery matter following the omission of 27(2) and 27(3). They are straightforward issues.

Amendments agreed to; amended clause agreed to; clauses 28 and 29 agreed to.

Clause 30

Mr BROWN (Minister for Public Transport) — I move:

11. Clause 30, omit this clause.

Clause 30 provides that, subject to the secretary's approval, the holder of a service contract must not transfer, assign, subcontract or otherwise deal with a right, power or duty under the contract. However provisions covering assignments of rights, powers and duties under contracts and subcontracting matters included in the service contracts themselves would provide similar protection for the government providing that they were in fact unfailingly included in contracts where government funds are involved. Therefore it is proposed to delete clause 30 by this house amendment.

Amendment agreed to; clause negatived.

Clauses 31 and 32 agreed to.

Clause 33

Mr BROWN (Minister for Public Transport) — I move:

12. Clause 33, lines 11 and 12, omit "an accreditation under Part 2 in relation to that service is in force" and insert "he or she holds a driver's authority granted under section 32".

Amendment 12 is a machinery amendment to clause 33 and is required following the introduction of driver's authority. In the second-reading debate the member for Pascoe Vale mentioned a tragedy having been brought to his attention of a young four-year-old boy who was killed while a passenger in a horse-drawn carriage. I well remember receiving that item of correspondence. As a father of a young family myself, I could not fail to be moved by the enormity of the loss of a four-year-old for any parent in such circumstances.

It has been an anomaly that horse-drawn vehicles have not been covered by the Transport Act. That is why the government has incorporated vehicles other than road-based or motor-driven vehicles. That was a tragic loss of life and nothing will ever replace that young boy in the heart and memory of his parents and other members of his family. However, it may be of some consolation to them to know that this change in the legislation is the result of their local member of Parliament getting the government of the day to consider the matter properly.

Although nothing will bring back their four-year-old son, his tragic death and the circumstances surrounding it have brought to public attention the law governing transport vehicles and resulted in a change that at some time in the future will almost certainly lead to the saving of life. Perhaps there is some consolation for the family in knowing that something positive will come from that tragedy.

Amendment agreed to; amended clause agreed to.

Clauses 34 to 48 agreed to.

New clause

Mr BROWN (Minister for Public Transport) — I move:

13. Insert the following New Clause to follow clause 32:

"AA. Driver's authority

- (1) A person who proposes to drive a vehicle operated for the purposes of a road transport passenger service accredited in accordance with Part 2 may apply to the Secretary for the granting of a driver's authority to him or her.
- (2) An application —
 - (a) must be made in the manner and form determined by the Secretary;
 - (b) must be accompanied by —
 - (i) the prescribed application fee;
 - (ii) any other things that are prescribed.
- (3) The Secretary may require an applicant for a driver's authority —
 - (a) to furnish further information specified by the Secretary; or
 - (b) to verify, by statutory declaration, information furnished for the purposes of the application; or
 - (c) to pass any test or hold any qualification specified by the Secretary that relates to the applicant's fitness to drive a vehicle.
- (4) In determining whether to grant a driver's authority, the Secretary must consider —
 - (a) any matters that are prescribed; and
 - (b) any other matters that the Secretary considers relevant.
- (5) The Secretary may grant or refuse to grant a driver's authority.
- (6) Without limiting sub-section (5), the Secretary may refuse to grant a driver's authority if satisfied —
 - (a) that the applicant has been found guilty of a disqualifying offence or has been charged with a disqualifying offence and the charge has not been finally disposed of; or
 - (b) that the applicant is medically unfit to drive a vehicle operated for the purposes of the road transport passenger service.
- (7) If before an application for a driver's authority is determined, the applicant becomes aware of a finding of guilt or charge that is relevant for the purposes of sub-section (6) and particulars of which have not previously been given by

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the applicant to the Secretary in, or in relation to, the application, the applicant must immediately notify the Secretary of the particulars of that finding or charge.

Penalty applying to this sub-section: 10 penalty units.

- (8) If the Secretary refuses to grant a driver's authority, the Secretary must notify the applicant in writing of the refusal and the reasons for it.
- (9) A driver's authority is subject to —
 - (a) any prescribed condition;
 - (b) any other condition imposed by the Secretary.
- (10) Particulars of a driver's authority and of the conditions to which it is subject are to be given in writing by the Secretary to the holder of the driver's authority.
- (11) The Secretary may at any time vary or revoke a condition of a driver's authority or impose a new condition.
- (12) The Secretary may act under sub-section (1) —
 - (a) of his or her own initiative; or
 - (b) on the written application of the holder of the driver's authority.
- (13) Except where the Secretary considers it necessary to take action in the interests of public safety, the Secretary must, before taking action under sub-section (12)(a), give the holder of the driver's authority written notice of the intended action and allow the holder to make written representations about the intended action within 10 working days.
- (14) Particulars of any action taken under sub-section (11) are to be given in writing by the Secretary to the holder of the driver's authority.
- (15) A driver's authority remains in force for the prescribed period unless it is sooner cancelled or surrendered in accordance with the regulations.
- (16) If at any time while a driver's authority is in force —
 - (a) the holder becomes aware that he or she has been found guilty of a disqualifying offence or has been charged with a disqualifying offence and the charge has not been finally disposed of; and

- (b) particulars of that finding or charge have not previously been given by the holder to the Secretary —

the holder must immediately notify the Secretary of the particulars of that finding or charge.

Penalty applying to this sub-section: 10 penalty units.

- (17) The holder of a driver's authority may apply to the Secretary for renewal of the authority.
- (18) A renewal application —
 - (a) must be made in the manner and form determined by the Secretary;
 - (b) must be accompanied by —
 - (i) the prescribed renewal application fee;
 - (ii) any other things that are prescribed.
- (19) A renewal application must be made not later than the prescribed number of days before the expiry of the driver's authority.
- (20) Despite sub-section (19), the Secretary may consider a renewal application made later than the time applying under sub-section (19) if the applicant pays the prescribed late renewal application fee.
- (21) The Secretary may refuse to consider a renewal application made earlier than the day prescribed for the purposes of this sub-section.
- (22) The Secretary may renew or refuse to renew a driver's authority.
- (23) On renewing a driver's authority the Secretary may —
 - (a) renew it as then in force; or
 - (b) vary or revoke any of the conditions to which the authority is subject; or
 - (c) impose a new condition on the authority.
- (24) Particulars of the renewal of a driver's authority and of the conditions to which it is subject are to be given in writing by the Secretary to the holder of the driver's authority.
- (25) A renewed driver's authority remains in force for the prescribed period unless is sooner cancelled or surrendered in accordance with the regulations.

(26) If the Secretary refuses to renew a driver's authority, the Secretary must notify the holder in writing of the refusal and the reasons for it.

(27) A person must not in, or in relation to, an application for a driver's authority or for the renewal of a driver's authority give information that is false or misleading in a material particular.

Penalty applying to this sub-section: 60 penalty units.

(28) In a proceeding for an offence against sub-section (27) it is a defence to the charge for the accused to prove that at the time at which the offence is alleged to have been committed, the accused believed on reasonable grounds —

- (a) in the case of false information — that the information was true; or
- (b) in the case of misleading information — that the information was not misleading.

(29) The Governor in Council may make regulations for or with respect to —

- (a) the period during which a driver's authority shall be in force;
- (b) the issue of probationary and temporary authorities;
- (c) the qualifications to be required of, and the tests to be passed by, applicants for driver's authorities;
- (d) the conditions to which driver's authorities are subject;
- (e) the suspension, cancellation or surrender of driver's authorities.

(30) A person may apply to the Administrative Appeals Tribunal for review of a decision by the Secretary under this section or the regulations made under this section in relation to —

- (a) an application for a driver's authority or renewal of a driver's authority; or
- (b) a driver's authority; or
- (c) the suspension or cancellation of a driver's authority; or
- (d) a person who is, or has been, the holder of a driver's authority."

The new clause inserts a mechanism by which potential bus drivers must obtain an authority from the secretary. That authority will be based on the

applicant not having been found guilty of a disqualifying offence and being medically fit. It will be similar to the drivers certificate process under the Transport Act but adapted to better suit the new provisions. It will replace the original program in the bill, which would have required applicants to obtain certificates from police that they had not been found guilty of disqualifying offences.

The industry will welcome the provision, which is the result of discussions that took place as part of the negotiation and consultation process the government has put in place.

New clause agreed to.

Reported to house with amendments.

Report adopted.

Third reading

The SPEAKER — Order! As there is not an absolute majority of the members of the house present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

ROAD TRANSPORT CHARGES (VICTORIA) BILL

Second reading

Debate resumed from 1 June; motion of Mr BROWN (Minister for Public Transport).

Mr HAMILTON (Morwell) — The opposition will not oppose this important bill. In dealing with the bill I want to do three things. I want to address the importance of the bill and the type of bill it is. It is one of a growing number of bills that are part of a national uniform program. I want to put the bill in the context of the government's program of road transport reform. I also want to briefly raise concerns about the road transport industry that have

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been raised with me and with other opposition members, and no doubt with coalition members.

The purpose of the bill is the adoption of uniform national road charges for heavy vehicles. This bill affects vehicles with a gross mass of more than 4.5 tonnes, but it does not affect the granting of concessions on registration fees, a subject that I will return to shortly.

It is important for honourable members and the public to realise that the bill puts into effect part of the 1991 national agreement, signed by the former government, when all states and territories agreed to the introduction of a uniform set of regulations governing the road freight industry. It was envisaged that the regulations would remove anomalies and gain efficiencies in the road transport industry. This bill addresses only the issue of road transport charges.

The National Road Transport Commission was established in 1992, before this government came to power. The agreement established under the auspices of that commission has been the subject of bipartisan support — otherwise, the whole process would fall apart. I hope governments of different persuasions agree at the ministerial level to uniform legislation in the states and territories — otherwise, the concept of uniformity cannot operate.

That National Road Transport Commission consists of ministers from each state and territory and representatives of the federal government. The commission has coordinated a range of heavy and light vehicle legislation. Template legislation was initially to be introduced into the ACT, subsequently to be adopted by the remaining jurisdictions through specific adopting legislation. The Parliaments of the states and territories would then enact appropriate legislation to ensure that their existing legislation would not conflict with the template legislation enacted in the ACT.

The intergovernmental agreements have ensured that if and when amendments are made to the legislation, they will be automatically applied in all jurisdictions through the initial adopting acts. This process ensures continuing uniformity in this type of legislation. The opposition agrees with and supports those principles — otherwise, no benefits can be gained in what is an important part of the gross domestic product of Australia.

The road transport charges are intended to recover the cost of road use only. They incorporate access

and mass distance charges; they do not relate to the cost to road authorities of administrative transactions, which is a change to the way in which the charging system for heavy road vehicles in Victoria has progressed until now.

Victoria's system of charging for registration of heavy vehicles has been on a horsepower basis rather than on the number of axles on each vehicle. This bill sets new charges. One commentator has said he does not mind if the government makes changes to the way charges are levied, but the total dollar revenue should not be increased.

Representations about the need to ensure charges remain reasonable have been received from the various trucking lobbies. There is no doubt that certain sections of the community are concerned because they consider the charges for road freight do not address the damage caused to the roads and the real costs of road transport. That healthy debate should continue. It is important that community concerns are debated, that the industry itself can justify its position and that it can make progress towards having the industry operate efficiently in other than economic terms. In his second-reading speech the minister states:

The bill does not affect the granting of concessions. In view of the limited distances travelled by heavy vehicles operated by primary producers, the government intends to grant concessions on the prescribed fees to those road users.

The opposition supports that provision. There is no need for an additional levy on primary producers who may move stock from one place to another. They may be only moving stock from one paddock to another. It would not be in the best interests of the farming industry were we to impose hefty registration charges on vehicles which, because they weigh more than 4.5 tonnes, would be otherwise covered by this legislation. That concession is important for farmers who may move stock from one part of a property to another or, indeed, from a property to a stockyard. Generally, in the interests of safety the best way to move stock is on the back of heavy vehicles rather than having cattle herded along the road.

In an advertisement that appeared in the *Herald Sun* of 12 July 1995 the Minister for Roads and Ports in the other place lists 10 reforms to the program. This provision is but one of those listed.

It is important to note how the road transport charges fit into the government's package for reform. By and large, the opposition supports the package because it appears to make sense. The reforms listed in the *Herald Sun* include one licence, one driver: a driver will not need to have multiple licences. Those with an interest in the operation of endorsed licences know that the requirement to have both can be a jolly nuisance.

The second reform is common rules for mass and loading of vehicles, which appears to be commonsense; there can then be a common set of rules for a mass on a set of axles. Given that the road damage — according to a number of experts — increases as to the fourth power of the axle load, it is important to ensure that that factor is recognised in registration charges and commonsense loads on heavy vehicles.

The third reform listed is improved productivity of B-doubles and other heavy vehicles. I will comment on that suggested reform later because it has caused some concern. When I consulted various groups about this legislation some said they did not have a problem with transport charges being levied according to the number of axles — and a B-double vehicle can have a large number of axles — but they were concerned about some of the problems with B-double vehicles.

The fourth reform listed in the *Herald Sun* dealt with national heavy vehicle registration charges and referred to a user-pays system to reduce the need for mass permits. The fifth reform in the government's package has resulted in this bill.

The next important reform listed is consistent management of defective vehicles. It is easy for an accident involving a heavy vehicle — perhaps a road freighter — to hit the front page of a newspaper or to be the lead story on the television news. When one takes into account the number of accidents per kilometre travelled, the road freight industry does not have a bad reputation, but some drivers drive for too many hours without a rest break. Some horrendous accidents are seen as being the fault of heavy vehicles. It is important that no defective vehicles are allowed on the roads. The opposition is pleased that the government has moved in that direction.

As an aside I mention that I am concerned that with the restructuring of Vicroads the number of inspectors of heavy vehicles has been reduced, which may lessen its ability to manage the industry

and ensure that the heavy vehicles are safe. I feel sure the government is concerned about that issue, because it would not want a relaxation of the legislation to result in an accident. I do not believe that is the government's intention and I certainly do not cast any aspersions on the motives of the government or the Minister for Public Transport.

The seventh reform mentioned in the *Herald Sun* article is enhanced safe carriage and restraint of loads. The transport of hazardous materials is a problem in the industry. Considerable publicity is given to incidents when heavy vehicles transporting hazardous materials lose their loads. Parliament must ensure that the legislation will overcome the difficulties in that section of the industry.

The eighth reform is reduced fatigue-related accidents. Parliament is concerned about reducing driver fatigue, and I hope the regulations will cover that aspect of the industry. The ninth reform is improved driver protection by enhanced seat belt use. Those of us who have seen semitrailers pulling out of truck stops would know that seat belts are often not used by drivers. That issue must be addressed as part of the safety program because it will benefit drivers. All occupants of motor cars must wear seat belts, and so should truck drivers.

The tenth reform is the alternative compliance program. The opposition will wait to see how that operates. Self-regulation is okay in some circumstances, but it is not always in the best interests of the proper operation of an industry and is often introduced as a way of making a quick dollar. That should never happen in the road transport industry.

In an advertisement in the *Herald Sun* of 15 July 1995 the Premier listed the reforms being made to the industry. I shall read part of his statement:

It is my expectation that the heavy vehicle reform package will transform the road transport industry to a standard of operation and efficiency that will take Victoria into the next century.

I hope the Premier is right, because all Victorians will benefit if the reforms come about.

The advertisement set out some statistics relating to the road transport industry. It said that an estimated 444 000 Victorians are employed in the industry; that trucks, including light commercial vehicles, travel approximately 40 billion kilometres on Victorian roads each year — that is a lot of kilometres and it is

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no wonder our roads are worn — and that trucks move approximately 22 billion tonne-kilometres of road freight through Victoria annually. That is also a large slice of the freight movement in the state.

The advertisement states that there are more than 100 000 rigid and articulated trucks in Victoria alone — again, a lot of vehicles — and 16 000 registered buses, which were part of the heavy vehicle program but do not relate specifically to the bill.

As the Prime Minister often says, they are an important set of numbers. They reveal the importance of the industry to the economy of the state, so it is important that we get it right. Members of Parliament should not use the debate on these measures as an opportunity to point-score against their opponents. Parliament must ensure that the road transport industry pays its share of road costs; that it contributes to the economy and that it runs effectively and safely and in the best interests of all Victorians. I do not believe the government or the opposition disagrees with those basic philosophies.

B-double road trains were trialled on selected Victorian roads during the term of the former Labor government. Initially they were used to cart pine timber from Longford, travelling up the Princes Highway to the Maryvale mill. The members of Parliament who represented those areas were concerned at the effect the trucks would have on the flow of traffic. It was some time before many people realised that the B-doubles were different from other large vehicles: in other words, their introduction was of benefit in the transport of road freight.

Until recently the routes selected for these large vehicles were special routes designed to accommodate them so there would be minimal interference with traffic. Unfortunately, concerns have been expressed to me and to a number of other members of Parliament about proposals by some local councils, now controlled by commissioners, to use alternative routes for B-doubles. A former councillor from the north-eastern suburbs of Melbourne whom I spoke with recently said that commissioners of one council had approved a route for B-doubles that the large trucks could not travel on. The nicest way of putting it is that the commissioners were subject to misinformation. Some commissioners and truck operators believe B-doubles are the answer to their prayers, but clearly they are not. They are a special way of moving large loads. They can move almost 50 per cent more than the average semitrailer, so one out of three drivers

will not be required. As a member of the Labor Party I am concerned about the loss of employment in the road transport industry. It is a large industry, with more than 100 000 drivers. We cannot afford the significant loss of employment that would result from the wholesale introduction of B-doubles.

The opposition is concerned about B-doubles being used on unsuitable roads. I trust that the minister, when examining proposed routes with councils, will ensure there is consultation so the community understands what is going on and is not run over by a large truck!

In October 1994 John Cox wrote an article headed 'Road Block' in the *Australian*. John Cox is a noted commentator on road freight. He often writes material I do not agree with but every now and then, like all commentators, he has something good to say. He says in effect that there has not been any great micro-economic refurbishment — another term that grates on me — in the industry. The article states:

Although the resources used in road transport are much greater than in other transport modes or in the electricity, gas, water and communications utilities, there have been no attempts at any micro-economic reform measures.

That article preceded some of the micro-economic reform that has been occurring. The use of such resources is important to the industry and the state of the national economy. Getting the charges right is a good start in micro-economic reform. The bill has not stated the exact charges that will be established. Those charges will be set by regulation and will be uniform. The opposition does not have a problem with that.

I also refer to an article headed 'Interstate semis on road to ruin' by one of my favourite commentators — although he may not be the favourite of every member in this place — Ken Davidson. Honourable members should at least note what he has to say. If what he says is wrong, let us see some contradiction and response to the information Ken Davidson has put forward. It is easy to ridicule someone who says something you do not agree with; it is a darn sight harder to come up with the facts and arguments that prove a case wrong. I should like the Treasurer to take hold of this article and a few other such articles and prove them wrong. This would have to be the first speech I have made without mentioning the Latrobe Valley electricity industry! Ken Davidson is all right on that point, too. Ken Davidson makes the point that there

is a large cross-subsidy of road freight charges in paying for road use and damage. He states:

According to a study by the now-defunct Interstate Commission, a six-axle semi plying between Melbourne and Sydney covers some 250 000 kilometres a year, causing about 21 cents damage to the road for each kilometre covered and a further 3.5 cents a kilometre damage in terms of atmospheric and noise pollution.

Residents living along the Tullamarine Freeway and the South Eastern Arterial will attest to the noise pollution produced by semis, especially when they use engine braking to slow down. The article continues:

Thus the total damage to roads and the environment of interstate semis was calculated to be 24.5 cents a kilometre.

Against this cost, the Interstate Commission calculated that the trucks paid only 9 cents a kilometre, which was that part of the total excise on diesel which was considered a charge for using the roads rather than a tax.

On this basis, each interstate truck is subsidised by the general taxpayer by about 15.5 cents a kilometre.

The figures may be contestable. I accept that for every argument there is a counterargument. For many years I taught physics and Newton's third law remains true, even in economics, although the economists do not realise it.

Mr Brown interjected.

Mr HAMILTON — I am pleased we can use arguments and reactions as well. The point is that a number of commentators have indicated that the trucking industry does not pay its share of the cost of roads. If we were building freeways only for cars, the standard of construction would be tens or even hundreds of times lower than for freeways built for semis because of the weight difference between a truck and a car. There is an additional cost in constructing our freeways and roads according to the standard required for heavy vehicle transport. Our roads would fall apart if we did not meet that standard.

The Minister for Public Transport is interested in seeing rail freight increasing its share of the market, as am I. That would be excellent. If we built truck-only roadways we would perhaps be able to

attest their cost. Then we might see the road freight industry paying its way. Commentators such as Ken Davidson would not be able to say trucks were being cross-subsidised by the taxpayer.

On 4 August this year a letter to the *Age* from a councillor of the former City of Heidelberg indicated that B-double trucks were causing trouble on Burke Road. The government and the minister's office would be aware that the impact of B-doubles has been of concern to some local councils. I cannot see much point in trucks travelling on such residential roads. On freeways trucks do not have to stop and start and in that way do not waste energy. There is a commonsense answer that would be in the interests of residents and the trucking industry. I have visited residents of Macaulay Road, North Melbourne. I have sat in their houses while windows have rattled and the conversation and television cannot be heard as the trucks go past. It should be a fundamental policy of any government, whether Labor or Liberal, to remove trucks from residential areas. It ought to be the aim of every government because the two do not mix.

The Western Ring Road was recently opened as a result of federal government funding. Victorians are getting some of their money back from the federal government, which is a great exercise, but let us not fall into the trap of allowing residential development alongside what are clearly major trucking routes and part of the transport hub of this great city of Melbourne. Let us ensure that our planning is in kilter, so that we do not end up with similar problems to those we have now, with major truck routes passing through residential areas. That is just not on. Consideration of truck routes should be part of the total planning exercise. I trust that the Minister for Planning, in his consideration of these matters, will regard that as a major part of the overall good planning of this state.

I refer finally to a letter by David C. Cribb of North Parramatta, New South Wales, that appeared in the *Age* of 29 May. He refers briefly to another concern that has been raised with me, a concern I hold dearly — pollution from truck emissions. Australia is one of the few countries that do not have controls on total emissions from diesel engines. The EPA guideline is that there cannot be black smoke for more than 10 seconds. That is about the only control we have on emissions from diesel engines. The letter refers to what is happening overseas:

Particulates from diesel engines are required by overseas emission standards to come down to

40 per cent of 1986 levels by 1996; further reductions are legislated in Europe, which will flow through to Australia.

At the moment reductions do not flow through. It is imperative that this country, as part of its uniform addressing of road freights and trucking problems, start to address such controls.

I recently read in a scientific journal an article saying that Melbourne's level of particulates from diesel engines is already at World Health Organisation recommended safe levels. If nothing is done between now and the year 2005 those levels will be 100 times greater than the levels recommended by the WHO. Part of the diesel engine process produces carcinogens, which will not cause people to die next week but will cause them to contract cancer, even though their deaths may not occur for 20, 30 or 40 years. It is as deadly as asbestosis, and we all know about the asbestosis time bomb.

The article goes on to address a number of problems that have occurred and the changes that have been made overseas to improve the performance of trucks and to make the road freight industry more efficient. The letter, from a Mr Cribb, refers to trucks being permitted to travel along freeways and highways at speeds that allow them to use 20 per cent to 30 per cent less fuel. It is good to note that providing truck routes so that the vehicles are not constantly stopping and starting but can travel at a constant speed is beneficial. That is something we should work towards. The letter also refers to expenditure on Australia's infrastructure development, including roads, which has been halved over the past 10 years. I believe it is dangerous to relate that to truck pollution because infrastructure spending covers much more than roads. Until the recent expenditure on the standard gauge, nothing had been spent on rail infrastructure in this country over the past 10 years.

Mr Cribb also says that about 40 per cent of the level of greenhouse gases in Melbourne is the result of emissions from cars and trucks, but trucks are nowhere near as great a contributor to greenhouse gases as cars.

Those are the concerns that have been expressed to the opposition: the decisions non-elected commissioners are making about B-doubles in the suburbs, the long-term pollution effects of controls on trucks and whether the charges are a true reflection of the road freight industry. In general we support the bill and the principle of enabling

legislation, and we also support the general thrust of the government's program of heavy vehicle reform because we believe it is in the best interest of all Victorians.

Mr TREASURE (Gippsland East) — I support the bill because it hails a new era in road transport in Victoria and indeed in Australia. It removes many of the state-by-state restrictions and charges that historically stood between the ease of movement of heavy vehicles between our states. It is high time we had the uniformity of road transport charges that will be put in place in the next few months.

Australia has a history of non-conformity in the transport sector. I shall give an example of the evolution of Australia's railway and road systems and how that has led to the situation we find ourselves in today. The railways are a classic example. In the 1880s Australia had some 4000 miles of railway lines stretching down what we call the fertile crescent that runs from northern Queensland right around to South Australia, a distance of approximately 2500 miles. Although there were some 4000 miles of rail lines, none of those lines interconnected in a system that made it possible to travel from South Australia to Queensland. Indeed, at that time there were something like 14 distinct railway systems in those various states. Each one of the railway systems, and indeed the roads as well — that is how Australia developed — ran from ocean ports inland to the various towns the roads and railway systems supplied. Between each of the individual systems there was sometimes a gap of half a mile and sometimes a gap of hundreds of miles. That is part of the reason why we have seen the need for uniformity at a time when we are getting close to the turn of the century.

The Victorian railway system was based on the Irish gauge, but I shall not dwell on that. The New South Wales system was based on the British system, and the other states had a narrow gauge. We had three different and distinct railway gauges between the states, which is another example of a lack of planning, of uniformity, of cooperation and of communication between the states. In 1910 Lord Kitchener, the soldier, said that our system of road and rail transport was more favourable to an enemy invading Australia than it was to the defence of the country.

Sydney and Melbourne were not connected by a decent system until 1883, and then people had to change at Albury or Wodonga, depending upon the direction in which they were travelling. Another

example of the lack of uniformity is the occasion when 1016 guests gathered in a shed at Albury railway station to celebrate the connecting rail link, but they were not able to get the dress right because the people from Melbourne wore morning dress while the guests from Sydney wore evening dress. That is a good example of the lack of cooperation and communication between the states.

Not until the 1990s have we seen real achievement in extending the standard gauge across Australia and only now have we approached the problem of achieving uniformity in our road transport system. Our roads were never designed for travel across the continent. They were designed for intrastate travel from the ports to inland centres, and no thought was given to interstate or inter-capital transport. Until recently interstate travel was considered by our leaders to be irrelevant. However, today we are becoming increasingly aware of the need for uniformity.

The honourable member for Morwell expressed concern about the introduction of B-doubles and suggested that it would cause a loss of employment because drivers would be put out of work. That is a bit like saying we should ban computers and calculators and make people calculate manually. In the short term B-doubles might affect a few drivers' jobs, but the improved efficiency of a better transport system will improve the industry and in the longer term it will create more jobs. That is what is important. We have to look at the long term. We should not look at the immediate effect of one small aspect of these reforms. It is important that we take on these initiatives and that the changes be brought about with haste.

The benefits of uniformity in the road transport industry and the nation are considerable and involve cost savings for industry and government that are passed on to the taxpayer. The country as a whole benefits. There is a school of thought that money in government is money in people's pockets. It is not; it is money taken out of people's pockets. When we save money by running the government better we make savings for industry and individual taxpayers, and that benefit is passed on through the creation of a larger market that in turn creates more employment.

Other benefits of a uniform system throughout the nation include one licence for one driver. That has many benefits not only in administration and cost savings to government but also in convenience for drivers: it will save them from having to acquire

various state licences. Uniformity will catch certain cheats who might use several drivers licences that they have acquired in various states to cheat the system, and in so doing the bad drivers endanger other drivers. Load limits are important because without uniformity there will be problems with permits between states. With the continued movement of transport and traffic from state to state, trucks have become the major means of moving goods around our nation and to our ports. It is practical that there be common load limits. The national heavy vehicle registration charges will provide benefits and savings to interstate operators. They will not have to comply with various regulations or subscribe to different roadworthiness and registration standards between states.

One important aspect is the reduction of the number of fatigue-related accidents on state highways. Fatigue-related accidents have been a problem for many years and the more we do to reduce the number of them the better it will be for our nation. The reduction of paperwork will improve efficiency in general. Our transport system is an important one. The private sector is the major mover of goods in this country and will continue to be. It is important that we set up a system that will work efficiently, safely and well. I commend the bill to the house.

Mr SPRY (Bellarine) — I support the Road Transport Charges (Victoria) Bill. I shall direct attention to Victorian initiatives in the road transport industry. The purpose of this important bill is to deliver major reforms to the road transport industry through uniform rules and practices. Over the years different charging systems have evolved throughout Australia for essentially the same practices. The purpose of the bill, among other things, is to cover road costs. These different systems have in the past created difficulties and inefficiencies for national road transport operators and registration authorities alike. One instance of a variation in registration fees which seems nonsensical is that in the Northern Territory the owner of an articulated six-axle truck could expect to pay a registration fee of \$430, while on average in New South Wales the registration fee for the same type of truck would be somewhere in the vicinity of \$6000. That is an indication of the lack of uniformity which is constricting the industry across Australia.

The all-party intergovernment agreement negotiated in 1991-92 established the National Road Transport Commission to overcome these anomalous situations because of the fundamental variations

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which plagued the system in the states and throughout the country and which had their genesis in the history of Australia's sovereign states. We see the same sorts of anomalies not only in road transport but also in almost every aspect of public administration such as education, and in other forms of licensing and regulation.

The legislation is one element — arguably the most important — of the initiatives in this area released recently by the Minister for Roads and Ports in another place in a document entitled *Heavy Vehicle Reform Package*. This is Victoria's package of a range of national heavy vehicle reforms. It contains 10 items that represent an advanced but consistent series of initiatives that are being developed for adoption by all the Parliaments of Australia, including the federal Parliament.

The 10 reforms are as follows. The first is one licence, one driver: simplified licence categories and the elimination of multiple licences will improve road transport management and road safety throughout Australia. The second is common rules for mass and loading of vehicles: national mass and dimension limits will improve productivity for heavy vehicles while protecting Victoria's roads and bridges, as has been mentioned by the honourable members for Morwell and Gippsland East. The third is improved productivity of B-double routes and the use of oversize vehicles, which will reduce freight transport costs and improve road safety; and the fourth is national heavy vehicle registration charges. The fifth is common registration and roadworthiness standards: nationwide acceptance of construction and design standards will make it easier for heavy vehicles to be registered in any state or territory. A standard vehicle defect checklist will provide consistency and improve safety and efficiency on the roads.

The sixth reform is consistent management of defective vehicles: national recognition and clearance of defect notices will improve efficiency for drivers and companies working across state or territory borders and ensure unsafe vehicles are removed from the roads. The seventh is enhanced safe carriage and restraint of loads: nationally consistent performance standards for the placing and securing of loads will provide drivers with practical advice on loads and result in fewer loads falling off trucks or running the risk of falling off trucks.

The eighth reform is reduced fatigue-related accidents: improved standard driving hours will

assist interstate operators and enhance safety in conjunction with other reforms. The ninth is improved driver protection by enhanced seat belt use: behavioural change programs will be developed in Victoria to increase seat belt use among truck and bus drivers and help reduce driver injuries. The final reform is the alternative compliance program: trials have begun in Victoria for a system which will allow heavy vehicle operators to develop procedures for complying with national performance standards for guaranteeing the weight of vehicles. In this respect work is under way in other states to conduct trials for roadworthiness and driver fatigue management.

I direct the attention of members to clause 7 of the bill, which is a precautionary clause. For the benefit of most members who think that by passing this bill we may be subjecting Victorians to legislation that is subject to another state or commonwealth, I make the comment that the bill is limited to the life of a uniform national scheme under the National Road Transport Commission Act 1991.

Mr BROWN (Minister for Public Transport) — I thank the honourable members for Morwell, Gippsland East and Bellarine for their contributions in this debate. The importance of the trucking industry is often not recognised in this nation and of course implicit in that statement is its importance to the state of Victoria.

I regularly see a sticker on the back of trucks saying that truckies carry the nation. That is close to being a truism. The vast bulk of commodities that one consumes are carried on trucks. Honourable members can join the honourable member for Morwell every second night of the week at the place where he dines, McDonalds, which is a fine example of a company whose commodities are carried almost exclusively by truck.

Another example is the local supermarket where the vast majority of the products are carried by road-based vehicles — namely, trucks.

You can go to the Koo Wee Rup swamp areas — one of the most productive areas of farmland in Australia — and see the produce being carried by truck. It may be asparagus carried by a local truck or, further afield, it could be milk carried by truck to Nathalia.

Trucks move the commodities. That is the case nationwide and certainly the government acknowledges the importance of this industry to the nation.

Often truckies have been picked upon by not only the various forms of media but by individuals as an easy target, and quite often it has been a king hit. I remember when I was a young boy — so we are going back a couple of years — there was a large family in my home town with the surname Davis. I was at school with some of the Davis children. Their father was a truckie who was gaoled for the heinous crime of being unable to pay road tax at that time. That family, over 30 years ago in that small country town, was in a very destitute situation at the time, with their father/husband/sole bread winner gaoled. It is rather pleasing that the industry has moved a long way forward from those dark days. In fact, it is a rare occurrence now for a truck driver to be gaoled for any circumstances related to his employment.

This is template legislation and a very reformist undertaking and is one that has had general bipartisan support. The general concept was supported by the former Labor government when in office, and was agreed to nationally in 1991 before the current Victorian government came to power. The former Labor government commenced the process. It is logical and commonsense for each state to have uniform road traffic legislation covering the transportation of goods.

Obviously if it is good enough for a truck to carry a commodity up to a certain tonnage in New South Wales, logically it should be the same here in Victoria. There has been reference in the debate to the lunacy of the past when rail gauges were put in purposefully at a different gauge to the neighbouring state to stop the transference of goods and commodities.

I am pleased to be the minister responsible in this government for agreement with the current commonwealth government to fill in that missing link of standard gauge line that now exists between Melbourne and Adelaide — and so it should be for road-based transport.

It is pleasing that the house is supporting the bill. I have no doubt that will be the case in the upper house when the legislation is brought on for debate and finally adopted. The legislation is long overdue, and it is an issue that needs to be addressed.

It is interesting that the consequence of template legislation is that after it is passed by this Parliament and the other states and territories, commonwealth legislation will only be necessary for it to become the law of the land Australia-wide. The Victorian

Parliament will not have to sit and legislate again on these general issues.

If these matters are debated in the future and legislation is adopted in Canberra, it will be legislation for the nation. Now of course there are caveats on that. The Victorian government would not trust the current federal government or, I might say, some other federal governments at some future time solely on the basis of what they wanted to do in this area. To that end, transport ministers nationwide meet twice a year and in that ministerial council, which I attend with my colleague the Minister for Roads and Ports, the Honourable Bill Baxter, there has to be agreement before legislation that will bind all states can proceed at the federal level. But I make it clear that the concept is supportable and is long overdue.

The lead speaker for the opposition, the honourable member for Morwell, raised the issue of concessions, primarily for the rural sector. People on the land are often in the position where they will use a truck for only one purpose at a particular time of the year. It may be for the hay season, which may last only 23 or 24 weeks. That is not an irregular occurrence in the bush; it is quite the norm for trucks that carry hay. It may well be that we should work towards allowing farmers to register trucks or vehicles on a corresponding basis. It does make a lot of sense and it is something that my colleague Bill Baxter is giving consideration to, along with a range of other issues. It has been put forward that it would be possible under legislation such as this, once the ministerial council agrees.

Mr Hamilton interjected.

Mr BROWN — There are different trucks for the carriage of other goods. Obviously it is a small minority. I am sure that people in that particular circumstance would be interested in concessions. There are existing concessions and we would, in a general sense, look to continue them. The Minister for Roads and Ports will spell out exactly what we propose when the bill is debated in the other house.

I acknowledge that the honourable member for Morwell has raised a number of points in this debate and I will ensure that those issues are brought to the attention of the Minister for Roads and Ports. I am pleased to acknowledge that there is bipartisan support for the measures encompassed in the bill.

I thank the opposition for its support, which is good for Victoria and Australia; accordingly there should

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be bipartisan support in the other place. It is pleasing to acknowledge it.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

Remaining business postponed on motion of Mr W. D. McGRATH (Minister for Agriculture).

ADJOURNMENT

Mr W. D. McGRATH (Minister for Agriculture) — I move:

That the house do now adjourn.

Barwon Water: maintenance charges

Mr LONEY (Geelong North) — I raise for the attention of the Minister for Natural Resources a matter involving the further disadvantaging of Victorians outside the metropolitan area as a result of the actions of this government. I refer in particular to the changes to the water industry introduced by the government late in 1994.

It was feared that the changes would result in water consumers in the metropolitan area having to pay for repairs to their water pipes between the main and the meter. However, in July this year the minister was quoted in the *Herald Sun* as saying that that was not the case. He was quoted as saying that the new provisions did not mean householders would face all the costs for the digging up of roads, gutters and pavements and so on to fix broken water pipes. He went on to say that no consumer in the metropolitan area supplied by the three distribution companies was exposed to any additional cost as a result of the changes.

Of course the relevant phrase in the minister's statement is 'no consumer in the metropolitan area'. As a result of seeing the article in the *Herald Sun* one of my constituents wrote to Barwon Water querying whether the same principle applied to consumers in the Geelong area. My constituent received a reply dated July 13 from Mr Green, the executive manager of customer services, stating that that was not the case and that it applied only to the metropolitan area.

Customers of Barwon Water who require services to pipes between the main and the meters will be charged up to \$500 by Barwon Water for the same service that water consumers in the metropolitan area receive at no cost. Mr Green also stated in his letter that Barwon Water operates under different legislation to the suppliers of water in Melbourne and that the existing policy is that Barwon Water only meets costs in excess of \$500 — that is, a \$500 excess.

The opposition would like to know what the minister intends to do about this situation where water consumers in the Barwon area are disadvantaged to the tune of \$500.

Kingston: activities of former councils

Mr LEIGH (Mordialloc) — I ask the Minister for Planning to direct a matter to the attention of the Minister for Local Government in the other place. It concerns our dear old friends, the former City of Springvale and, in some ways, the former City of Dandenong, both of which were councils controlled by the Labor Party. Dear old Phil Reed, the personal adviser of Mr John Brumby, the Leader of the Opposition, was involved in creating liabilities for the City of Kingston.

The executive summary of the due diligence audit statement issued by the Auditor-General states that several decisions were taken by the former City of Springvale which imposed liabilities and obligations on the new City of Kingston. According to the statement certain people were making financial deals worth millions of dollars when they knew the council was to be closed down.

Paragraph 16 of the statement outlines the fact that the new Kingston council faces a payout of approximately \$225 000 to employees of the former City of Springvale — —

Mr Batchelor — On a point of order, Mr Speaker, during the adjournment debate members are required to raise matters of government administration. I have been listening to the honourable member for Mordialloc for some time and no matter of government administration has been raised thus far. I ask you to ensure that the honourable member conforms to standing orders.

The SPEAKER — Order! Although the honourable member has only begun his speech, I ask him to indicate what action he seeks from the minister.

Mr LEIGH — I want the minister to take action against the thugs and crooks from the Labor Party who were involved in manipulating a council for their own benefit. Millions of dollars were being siphoned out of the system and being left as liabilities of another city — the new City of Kingston.

Deals involving former school sites were being done and were never consummated. The document also refers to the theft of motor fuel. On page 39 it says that during the week fuel from the fuel depot was being handed over to anybody who wanted to use it. So while Mr Reed was driving the Leader of the Opposition around he pulled into Springvale council premises and filled up from the bowser at the ratepayers' expense. That is corruption. It does not matter whether it involves millions or thousands or hundreds of dollars. Mr Reed and that well-known powerbroker Mr Micallef, the honourable member for Springvale, were both involved in compromising the poor old citizens of the City of Springvale; and, of course, some of those people in the — —

Mr Loney — On a point of order,
Mr Speaker — —

The SPEAKER — Order! I will deal with this matter first. The latter remarks by the honourable member for Mordialloc amount to implications against another member and are against standing orders. The honourable member's time has expired.

Mr Loney — The point of order I was about to raise concerned exactly the point you raised, Mr Speaker.

Auditor-General: performance audit

Mr THOMSON (Pascoe Vale) — I raise a matter for the attention of the Minister for Health, who I am pleased to see is in the chamber this evening. I ask her to reprimand her permanent head, Dr John Paterson, for his response to the Auditor-General satisfaction survey conducted by Price Waterhouse.

I direct the minister's attention to Dr Paterson's response, which says in part:

There is enormous variability in the quality and attitude of the Auditor-General staff and an absence of standards in these matters ...

He went on to describe them as:

... the distinctive weakness of the office of the Auditor-General.

He goes on to damn the office with faint praise, saying:

The office of the Auditor-General performs well and unobtrusively in some cases, usually the more traditional forms of financial audit.

But then he says:

Some less traditional audits are evidently well beyond the competence of Auditor-General's present staff, and some of the staff engaged in these have been culpably incompetent, out of touch, stupid and on occasion arrogant to boot.

That is the language of Dr Paterson, which I believe represents an attempt to intimidate the Auditor-General. One unfortunate characteristic of this government and its representatives is their endeavour to intimidate any independent source of advice, monitoring or scrutiny. Dr Paterson's remarks are intended to prevent the Auditor-General from carrying out his most important functions with the appropriate degree of diligence and thoroughness. I believe his observations are both inappropriate and intemperate. They do not seem to be supported by any facts or hard evidence; they are simply impressions.

The Public Accounts and Estimates Committee received a copy of those remarks. The chairman of the committee has written to Dr Paterson stressing the paramount importance of the institution of the Auditor-General. I believe the minister needs to drive that point home to Dr Paterson to ensure not only that he takes his and his department's responsibilities to the Auditor-General seriously but that the health department is subject to the same degree of scrutiny that all departments should be subject to.

Telecommunication towers: East Bentleigh

Mrs PEULICH (Bentleigh) — I ask the Minister for Planning to direct to the attention of the Minister for Conservation and Environment in the other place the proliferation of telecommunication towers throughout our suburbs. I am sure local members have been inundated with letters expressing concern about these monstrosities, which are springing up overnight like mushrooms as a result of the growing demand for mobile telephones. The problem is that under the 1991 Telecommunications Act councils and local communities have no opportunity for input or redress. The most recent case concerns

Telstra's intention to build a telecommunication tower on the King George VI Reserve in my electorate. I have received a letter containing the names of some 202 petitioners, which were collected over the weekend, as well as letters from some local schools and constituents.

I quote from a letter from Peter Heazlewood of 380 Chesterville Road, East Bentleigh, who voices his disapproval of Telstra's intention to build a mobile phone transmission tower in a council park directly adjacent to a primary school, a secondary college, a child-care centre, a children's traffic school, a scout hall, a tennis club, a children's playground and two sporting ovals.

Another letter from a retired pharmacist living at 59 East Boundary Road, East Bentleigh says:

As a retired pharmacist I am well versed with the published long-term detrimental effects of E. M. Rays to humans both old and young in the exposure area.

Local schools and parents are naturally concerned about the long-term effects of the towers and see no sense in their erection. Apparently, the carriers in competition are likely to be erecting the towers at 1-kilometre intervals. There is no pressure to collocate or force them to share. Apparently the national code is very loose, allowing the carriers to circumvent local councils. I urge the Minister for Planning in conjunction with his colleague in the other place, the Minister for Conservation and Environment, to take up the matter with the federal Minister for Communications and the Arts urging them as a matter of priority to tighten the national code allowing local councils to have more input in order to bring some sense to what is obviously an issue causing great community concern. None of us wants to see the erection of these telecommunication towers, which are extremely tall and quite unsightly, change the urban landscape completely. I would like the minister to do whatever he can to make some sense of the problem.

Fitness centres

Ms MARPLE (Altona) — I bring to the attention of the Minister for Fair Trading a matter concerning the closure of a fitness centre in Altona North at the Altona Gate shopping centre in my electorate which left people out of pocket after paying membership in good faith.

This is not an isolated case, Mr Speaker, as you and many others would know. Companies set up

business as fitness centres or clubs and people pay memberships for a year, six months, or whatever it is, usually for a fair amount of money — anything from \$300 to \$1000.

Dartfree Pty Ltd was signing up members until the day it closed its doors two weeks ago. Many of my constituents have paid out vast sums of money for no membership. The Altona Gate shopping centre then allowed another fitness centre to open the doors the following day, which does not seem fair to the people who paid up with the first company.

What concerns me and many other people is that this happens in various areas; it is not confined to Altona North. The code of practice provides that everybody is supposed to be in line. Unfortunately, Dartfree was not even a member of the industry association, let alone in line with the code of practice. I ask the minister what he intends to do in regard to fair trading. This blatantly seems to be not fair trading but the ripping off of members.

Queenscliff Neighbourhood House

Mr SPRY (Bellarine) — The matter I raise for the attention of the Minister for Community Services concerns the fate of the Queenscliff Neighbourhood House. The house has been occupying premises in Gellibrand Street, Queenscliff, which belongs to one of the churches in the town. The church has been good enough to make the premises available to the neighbourhood house for some years on very favourable terms, which has been greatly appreciated by the people of Queenscliff, but the church has now been sold and the owners wish to occupy the property. This has left the neighbourhood house with the dilemma of where to relocate. The organisation is run by a collective, which has been trying, unfortunately with very little effect, to solve the problem.

In August of this year the Borough of Queenscliffe agreed to a budget allocation of \$180 000 for the provision of a community centre in the town, to be used by the Queenscliff Neighbourhood House and for a number of other purposes.

The minister will recall that on 9 August, when he was in Geelong to launch the Barwon independent living video at the Grace McKellar Centre, I approached him and requested that he make available a one-off grant toward modifying a building I was aware the borough intended to make money available for, so that it would be suitable for use by the Queenscliff Neighbourhood House.

Some weeks later I noticed in a report in the *Geelong Advertiser* that the honourable member for Bundoora, who is the shadow Minister for Community Services, had been in Queenscliff. I am not sure exactly what she was hoping to achieve. Obviously she was not aware of the steps the borough and I had been taking to assist the neighbourhood house.

I assure the minister and honourable members that the Queenscliff Neighbourhood House does a very good job providing for the needs of the people of Queenscliff. I ask specifically whether the minister can assure the people of Queenscliff that the funds provided to date for the provision of a part-time coordinator at the neighbourhood house will continue.

Nillumbik: commissioners

Mr HAERMEYER (Yan Yean)—I seek from the Minister for Local Government in another place an inquiry into the performance of the government-appointed commissars at the Shire of Nillumbik in the matter of the issuing of a writ against Mr Jock Kyme, a resident of the shire. One may ask what crime Mr Kyme committed to justify such a writ being issued against him. I assure you, Mr Speaker, that this matter is not sub judice; the writ has been withdrawn.

Mr Kyme wrote to the local newspaper, the *Diamond Valley News*, accusing the local commissars of political interference in the appointment of a chief executive officer. His actions were deemed by the local commissars to constitute gross defamation against both them and the chief executive officer of the shire.

On 20 June, using ratepayers' funds, the shire issued a writ against Mr Kyme but not against the newspaper. The writ had absolutely no chance of ever succeeding; its only purpose was to intimidate, stop criticism and stifle debate. The commissars sought to make a public example of Mr Kyme. If one needs proof of that, one need look only at the press release issued a couple of days ago announcing the withdrawal of the writ.

In the press release the chief executive officer states:

While we accept and encourage vigorous debate and comment on council activities we will not tolerate vicious attacks that are in no way constructive.

Council considers that the standards of debate and criticism with regard to council issues has now improved and to continue with court action against Mr Kyme is no longer necessary.

In other words, people are now too intimidated to speak their minds about the performance of the commissars of the Shire of Nillumbik. They seem to have achieved their objectives in the true traditions of local democracy — that is, a South American junta!

They are somewhat like the local member, the honourable member for Eltham, who says former councillors should not be allowed to be re-elected for five years after local government democracy has been reinstated. These commissars have acted like a pack of thugs and bullies! What they have done represents an irreparable betrayal of the trust that must exist between commissars and the people they are there to represent.

Dunolly: grave desecration

Mr TURNER (Bendigo West) — I direct to the attention of the Minister for Health an incident that occurred at Dunolly in June after a long-term resident of that town, Mrs Daly, died at the age of 98 and was interred at the Dunolly cemetery.

On the day following the funeral one of the relatives of Mrs Daly visited the grave site and discovered what he believed to be interference with the grave. Subsequent inquiries by the police and the coroner revealed that Mrs Daly's grave had been interfered with and that two youths had dug down to Mrs Daly's coffin, smashed it open, removed the body, cut off a hand with the aid of a bayonet, thrown the body back into the grave, shoved the dirt back and left the grave undisturbed, or so they thought.

I commend the police for their quick action and the arrest of two local Dunolly youths — John Anthony Smith, aged 18 years, and Matthew Leigh Stewart, aged 19 years — who have since appeared before the court and been convicted. Both youths were charged with the offence of exhumation of a body in contravention of section 48(1) of the Cemeteries Act 1958.

The matter I direct to the attention of the minister is serious. Honourable members can imagine the uproar in Dunolly and the shock among its residents. That unrest has not been resolved to date, and despite the work of a host of people in trying to

settle the local community there is still a great deal of outrage.

In sentencing the two youths the magistrate found the offence to be summary by nature and that there was no corresponding provision for a prison sentence. I ask the minister to quickly review the act so that it provides a penalty of imprisonment if such an offence is again committed. I ask the minister to attend to this matter quickly.

I commend Det. Sgt Churchill, Sr Det. Bannon, Sr Const. Wiggins of Tarnagulla, Sr Const. Geurts of Dunolly, Const. Lovell of Maryborough and several other members of the Maryborough police station who had the unenviable task of investigating this matter. They were required to dig down to the coffin and experienced very unpleasant circumstances. I commend them for their outstanding police work in bringing this matter to a quick resolution.

Preschools: fees

Ms GARBUTT (Bundoora) — I direct a matter to the attention of the Minister for Community Services.

Honourable members interjecting.

Ms GARBUTT — I remind honourable members that this week is Kindergarten Week, although I think some members in this place have yet to graduate from kindergarten! I ask the minister to show some awareness of the problems experienced by kindergartens. Most of the problems stem from the changes that were made two years ago. In particular, the 20 per cent reduction in funding, which amounted to \$11.4 million, has resulted in a dramatic increase in the fees paid by parents.

While visiting the Queenscliff Neighbourhood House program — I am glad the local member has finally found out about it, because it is an excellent community program that I hope the minister will assist — I took the opportunity to visit the Corio preschool, where I was told that kindergarten fees were \$120 per term. Many children are prevented from attending the preschool because their parents cannot afford the fees. More than half the parents in the area have health cards so they are on very low incomes. As I said, the fees prevent some children from commencing preschool. If parents have to make weekly payments of \$10 to enable their children to attend kindergarten, the children miss out if the parents run short.

Mr Leigh — On a point of order, Mr Speaker, during my contribution to the adjournment debate the honourable member for Thomastown raised a point of order arguing that I did not state what I wanted the minister to do. I have listened carefully to the contribution of the honourable member for Bundoora and I have not heard her say what she wants the minister to do.

The SPEAKER — Order! I have heard sufficient of the point of order. There is no point of order.

Ms GARBUTT — I am sure the parents of kindergarten children in the electorate of the honourable member for Mordialloc will be interested to know he is not aware of the problem. One of the major impacts of the introduction of fees is the increase in the number of children who are missing out on attending kindergartens. The Minister for Community Services confirmed that in a press release earlier in the year which stated that only 87 per cent of eligible four-year-olds were attending kindergartens.

The SPEAKER — Order! I ask the honourable member to indicate the action she wants the minister to take.

Ms GARBUTT — I want the minister to explain why the number of eligible children attending kindergartens has fallen from 94 per cent, as referred to in the 1993 Auditor-General's report, to 87 per cent. Where have these children gone?

Mr Kennett interjected.

Ms GARBUTT — You do not care about children missing out. You sit there and laugh. It is a joke to you.

The SPEAKER — Order! I warn the honourable member for Bundoora that her conduct is unacceptable. I ask honourable members to remain silent.

Lauderdale environmental activity partnership block

Mr MAUGHAN (Rodney) — I direct to the attention of the Minister for Education the Lauderdale environmental activity partnership block in Stanhope, Northern Victoria. Many years ago the block was the site of the Lauderdale Primary School. During the 1930s it was planted with a mixture of eucalyptus trees so the community could see how various species developed.

Since the 1930s Stanhope schoolchildren have used the environmental block for a variety of environmental activities. As the local member, I have assisted with tree plantings on several occasions. The block is also used by the Landcare group as a demonstration area. It is an important area given the emphasis we rightly place on Landcare activities. The block has historical links with early settlers and is also important on scientific grounds because it contains a number of indigenous grasses unique to the area. It is one of six locations in northern Victoria where demonstrations are held regarding various activities concerned with trees. The Girgarre-Stanhope Landcare group wants to retain the block on historical, educational, planning and scientific grounds.

This block is important to the area for its conservation and heritage values. It has an important historical link with previous generations and provides the town not only with a sense of identity and a link with its history but also an important environmental facility. I ask the minister to consider retaining the block for the use of the community.

Responses

Mr COLEMAN (Minister for Natural Resources) — The honourable member for Geelong North referred to connections between domestic water mains and meters. As a result of the restructuring of the water industry, in the Melbourne metropolitan area distributor companies are taking responsibility for the maintenance of connections below 50 millimetres and services in copper. The property owner has responsibility for industrial connections and any domestic connections over 50 millimetres. The same conditions apply to non-metropolitan utilities.

Under the Water Act, which was passed by the Parliament in 1989, all utilities have the responsibility of charging for services between the main and the property, given that in many areas of the state there are no metered services. The question of where the service starts and finishes is very much determined by where it enters the property.

There are some differences in the way services are operating. People who go to an authority and get a connection do so on the understanding that the contractual arrangement is in place when that connection is made. On the basis of what has occurred in the metropolitan area as opposed to that which has occurred in the non-metropolitan area,

the changes envisaged for the metropolitan area have not occurred simply because of the system that existed prior to the passage of the legislation. On that basis there seems to be no need to change either of the systems given that people have signed on with the knowledge that those conditions apply.

Mr MACLELLAN (Minister for Planning) — The honourable member for Mordialloc referred to the actions taken by the former City of Springvale, the due diligence report concerning that council and the effect some of its decisions and actions might have on the new City of Kingston. I have seen some sections of the report relating to money paid for works undertaken in what could be described as the last days as the Springvale council. I have to say that some of the actions taken were matters of comment in the due diligence report.

I will raise the honourable member's concern about the decisions of the Springvale council when it realised the local government review had proposed that part of the council be transferred to the City of Greater Dandenong and the other part constitute a new city, which as it happens is called the City of Kingston. I will ask the Minister for Local Government to make further inquiries regarding the matter the honourable member has raised.

The honourable member for Bentleigh referred to mobile telephone towers and the exemption afforded to both Telstra and Optus under the commonwealth constitution whereby the commonwealth government has made a deliberate decision to exempt those two competing commercial organisations from both state environmental and planning laws and from local government law. That has left Victoria and other communities throughout the states and territories in a vulnerable position. Although it is expected that Telstra and Optus will consult, there is no necessity for that consultation to reflect local opinion.

It appears that it has not been directed entirely by the technical necessity of sites. In other words, it is not entirely directed by the issue of there being only one suitable site or indeed a number of suitable sites for these towers and therefore it is being driven by the technology rather than by competition between two organisations and by their exemption from any real requirement to be consistently careful of the local effect on both the environment and the urban community.

I will accept the honourable member's invitation to raise the matter on behalf of the Victorian

government with the federal Minister for Communications and the Arts, Michael Lee. As I said, it is a deliberate decision by the commonwealth to allow those two organisations to be exempt from state and municipal law. It is entirely in the hands of the federal minister and the federal Parliament as to whether they wish to maintain that position or the level of cooperation they might require with state and local authorities. The commonwealth is not forced to do that. It is a deliberate decision because the commonwealth does not have to put them in that position.

For example, a number of government statutory and public authorities are subject to state and municipal law. By commonwealth decision Australia Post is now a corporation which is responsible for meeting state and local laws. It has exactly the same obligations to do that as does any other trading company. At one stage Australian Defence Industries was partially exempt from state law but it was decided to make it liable to state law in respect of a number of matters, including contamination and planning laws. I give those illustrations to show the house that the commonwealth has made a deliberate decision to exempt Telstra and Optus from any local state or municipal laws. It is not something that was forced on the commonwealth and it is not something that has to be — it is a decision that was made by the commonwealth.

I will seek an opportunity to raise the concerns of the honourable member for Bentleigh regarding this matter, and I believe I would be doing so on behalf of most members of the house who have probably had similar instances in their areas.

The honourable member for Yan Yean, in a somewhat overenthusiastic and florid attempt to dramatise a matter, raised a writ issued by the Shire of Nillumbik. I understand from his remarks that the writ was later withdrawn. It related to an allegation of defamation in respect of some remarks made or some matter published. He found some curiosity in the fact that the shire, and presumably the chief executive officer — perhaps either on behalf of the shire or on behalf of themselves individually — took action against the person who made or was the author of the comments rather than the publisher of them, the local newspaper.

The honourable member also appeared to believe it somehow supported his rather florid presentation of his argument to use some socialist terms in respect of the office of commissioner of the Shire of Nillumbik as if that added some weight or

seriousness to the remarks he made. Again the honourable member did a disservice to the person or persons he attempted to represent in the matter. If I were giving him any advice, and heaven knows it is unlikely that I ever will, I would have thought it would have helped his argument if he had put it with a little less passion and perhaps a little more reason.

From time to time people issue writs because they are offended by remarks made by others, and from time to time those writs are withdrawn. It was probably a welcome sign that people have reached an understanding regarding the matter — perhaps an understanding that the remarks were ill judged when they were made or that the person who was originally offended had some new understanding of the situation and was no longer offended.

The honourable member, for some reason known only to himself, has probably during the parliamentary recess done a crash course in law or has some qualifications unbeknown to any of us in this place and apparently is able to conclude with some authority that the writ would not have been successful. I would not venture into that area of law myself without having more facts on which to base the argument.

I do not know whether the writ would have been successful, but the honourable member was convinced that the writ should not have been issued in the first place. He has a problem, probably one that is shared widely with former socialist members of his party, now that socialism is unfashionable among Labor members of Parliament. He has difficulty in adjusting from the old socialist view of society to a new and more contemporary view. It is a difficulty that has been referred to in the remarks of His Excellency the Governor-General and other senior Labor Party members who find themselves reluctantly moving from an old socialist background to a more contemporary position.

He has difficulty about this, so he reverts to his Russian language of description and suggests that the motives of the commissioners have to be improper, whereas the heroic stance of the person who made the allegations in the first place has to be regarded as nothing less than heroic. He does not become the commentator upon the situation, but the advocate. If he wants to use the Parliament to make blackguardly comments about his local commissioners there is little I can do about it other than to say that it is unnecessary and inappropriate.

If he wishes to impugn the motives of those commissioners by saying that they intended to bring an assault upon freedom of expression and democracy I can only regret that the honourable member has such a misjudgment about people. I would have thought that writs are issued because people are offended. Writs are withdrawn because people are no longer offended or because an explanation has been given which either justifies the situation or whatever.

It may well have been that the honourable member only read the press reports, and they were probably as florid as the honourable member because he probably bases his remarks on them. Behind the scenes there may well have been a quiet apology or a quiet understanding. I would have thought that the matter the honourable member raises would have been better handled in that way than in the way he has chosen.

Mrs TEHAN (Minister for Health) — The honourable member for Pascoe Vale raised with me a matter that I find disturbing. As I understand it, the honourable member is a member of the parliamentary Public Accounts and Estimates Committee, which is carrying out a performance audit into the Office of the Auditor-General.

In the course of that audit the committee has commissioned Price Waterhouse to send out questionnaires to a number of people such as members of Parliament, people who have been secretaries or departmental heads and so on. Obviously during the audit there would have been a wide variety of comments by departmental heads or people dealing with the Auditor-General on the performance of the Auditor-General. Those comments may eventually be reflected in the committee's report.

The Secretary to the Department of Health and Community Services responded to the questionnaire. As I understand it, the honourable member for Pascoe Vale found examples of both very good and poor performances by officers in the Office of the Auditor-General.

However, whatever the findings in reply to the questionnaire by Dr Paterson, I have no doubt that Dr Paterson's comments would have been frank, honest and as he saw the situation. What I find particularly disturbing is that an honourable member of that parliamentary committee should use this house in which to single out one of what I suspect are many replies, to quote from it selectively

and to do so in a spirit of criticism so harsh as to justify one of his own colleagues on the other side of this place saying, 'Sack him!'.

I do not know whether having the honourable member for Morwell call out 'Sack him!' was the response the honourable member for Pascoe Vale wanted. All I can say is that it seems most inappropriate to select and single out material given in good faith to a parliamentary committee well ahead of the tabling of the committee's report.

I repeat that Dr Paterson's comments would have been made frankly, fearlessly and in the tenor in which the audit was sought. I find far more disturbing than any comments made by Dr Paterson the basis upon which the matter has been raised in this place.

The honourable member for Bendigo West raised an appalling matter involving serious infringements of the Cemeteries Act arising from a set of circumstances in which people who have since been charged with an offence under section 48(1)(a) of the Cemeteries Act invaded a cemetery, dug up a grave, interfered with the body and then attempted to put the body back and restore the grave. I am sure anyone who heard those details would have been absolutely horrified and appalled.

As he has done in the past, the honourable member for Bendigo West again raised with me the enormity of the offence and asked whether the penalties available under the legislation are appropriate in the circumstances. I can only say that very, very rarely would offences under that section be perpetrated — I would hope they would be rare — but, because of my own abhorrence of the offence and the abhorrence brought to my attention by the honourable member for Bendigo West and demonstrated by the people of Dunolly, I am certainly prepared to look at the situation explained by the honourable member and ensure that there is an investigation and that the appropriate steps are taken.

Mrs WADE (Minister for Fair Trading) — The honourable member for Altona raised the closure of a fitness centre at Altona Gate that has left some members of the centre quite considerably out of pocket. I understand from the honourable member for Altona that another fitness centre has opened in the same premises, but that the new centre is a women-only fitness centre. It is offering continuing membership to the women but not to the men who were members of the previous centre.

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The honourable member for Altona asked me what I intended to do about the matter. I imagine she means what I intend to do about the situation generally as well as what I intend to do about the specific fitness centre in Altona.

This is a fairly regular problem; fitness centres close down leaving their members out of pocket. It is not just a problem in Victoria. I note that it is a problem in other states as well and that it is not limited to fitness centres. The problem is widespread and relates to other goods and services where people make up-front payments.

I remember being out of pocket when I made an up-front payment for a security door and the company went out of business the following day. It happened some 10 years ago, but I have not got over it till this day.

At first glance it seems that you could rush into additional regulation and sort out the matter that way. You could impose a licensing scheme for fitness centres, requiring them to establish trust funds or a guarantee fund. Minimum payments for members could be set, but that solution has to be looked at carefully. It may be suitable in circumstances where people make large up-front payments — for instance, travel agents are required to have a guarantee fund to cover precisely that situation.

However, with regard to fitness centres, and even security door companies, where up-front payments may be some \$300, the establishment of that sort of regulation would be quite expensive. Although at first glance it appears to be imposed on the business, it is passed on to the customer.

The Office of Fair Trading and Business Affairs is approached about this issue quite regularly, both after the collapse of a fitness centre and by people seeking guidance on how to find a creditable fitness centre. It has a list of hints and guidance on the subject and suggests that before joining a fitness centre people should ask to see the instructor's qualifications and a copy of the centre's code of practice and should contact the Victorian Fitness Industry Association to determine whether the centre is a member of that association. In the case of a collapse members of associations will often pick up affected clients of a closed centre. People should inquire how long a centre has been in operation as a centre which has been in operation for some years has a record of good conduct on which they are able to rely.

People should contact the Office of Fair Trading and Business Affairs to determine whether any complaints have been made about a centre. They should be particularly careful of a centre offering cheap rates because that is a signal that the centre may be desperate to obtain some money to continue its cash flow.

Here are a couple of handy hints all members should make their constituents aware of: firstly, if you pay by credit card the credit card provider should, under the credit card code of conduct, refund any money that has been paid in those circumstances where the service is not provided. It is one of those situations where you are better off to pay by credit card. Secondly, if the centre closes down — or the security door company closes down — the day after you made the order and you paid by cheque, you should cancel the cheque.

There is no easy answer to the problem raised by the honourable member for Altona, but there is a range of issues that should be addressed by anyone wanting to join a fitness centre.

Mr JOHN (Minister for Community Services) — The honourable member for Bellarine referred to the future of the Queenscliff Neighbourhood House. The neighbourhood house committee leases the house from which it operates from the Presbyterian Church. The church has now sold the premises and there is uncertainty about the future. As the honourable member for Bellarine said, the Borough of Queenscliffe has promised to purchase new premises and to commit up to \$180 000 of capital funding for that purchase.

Today I read a press release from the Borough of Queenscliffe dated 31 August and entitled 'State government funding for the Queenscliff Neighbourhood House'. I will share with the house a couple of paragraphs from the press release, which I am happy to table if anyone wishes me to.

The honourable member for Bellarine, Mr Garry Spry, MLA, handed a \$5000 cheque to Mayor Chris Dyer from Queenscliffe council to support the relocation of the neighbourhood house. The money will be used to modify the new premises to the requirements of the neighbourhood house activities.

Mr Garry Spry has been a long-time supporter of the neighbourhood house and when he heard about its present troubles he decided to assist with its future location. He has been in close contact with the

Queenscliffe council and has combined with them to ensure that the new premises will 'come up to scratch'.

In addition, for some time my department has provided funding to employ a coordinator at the neighbourhood house for 10 hours per week, and I assure the house that that will continue. Some weeks ago the honourable member for Bellarine spoke to me about assistance for the neighbourhood house. Last month I was pleased to approve a grant of \$5000, which will go towards modifying the new premises to be provided by the council.

I re-emphasise the excellent support given by the honourable member for Bellarine to the neighbourhood house — in particular, his efforts in obtaining the funding. He is very much a quiet achiever. While the honourable member for Bundoora was visiting the centre — on 28 August I think it was — and making a great deal of noise, the honourable member for Bellarine had already gained the required funding for the house.

The honourable member for Bundoora is quoted in the *Geelong Advertiser* of 29 August as saying she would raise the matter in Parliament. However, I say to her there is now no need because the honourable member for Bellarine has been at work for weeks and has already secured the funding. I congratulate him on his hard work and his support for the people of Bellarine.

The honourable member for Bundoora raised the issue of kindergarten funding and the commencement of Kindergarten Awareness Week, which I was pleased to launch yesterday while attending Huntingdale kindergarten. The stance taken by the honourable member for Bundoora is hypocritical. She criticises the government's achieving budget savings while delivering marvellous reforms to make access to kindergarten and child care more flexible for families, yet in its last days in office the ALP government endeavoured to make the same reforms but failed, capitulating to the union.

We are proud of the reforms we have made. I inform the house that this year 58 219 children are attending kindergarten, 2300 more than last year. I assure the house that at present there are 1344 kindergartens in Victoria — 34 more than last year — as well as more flexible services, better funding and the most affordable fees in Australia. In country Victoria the average fee is of the order of \$5 a week, and in the city it is about \$10 or \$11 a week. The average fee

across Victoria is \$9 a week. That is a very affordable fee for 10 hours of kindergarten.

The special value of the kindergarten reforms is in their flexibility. More than 75 per cent of children's service centres now offer more than one service, and many kindergartens have extended their services. Many centres offer the whole range of children's services. Indeed, about 270 services out of 744 now offer total one-stop-shop services for families in Victoria. This is welcomed by the families that use the services.

The work of the Community Development Committee, chaired by the member for Mordialloc, and other research carried out by various consultants to which I can refer honourable members, supports the fact that about 80 per cent of Victorian families are totally delighted with the services they receive from kindergartens and maternal and child-care services.

The final issue I want to mention while on the subject of Kindergarten Awareness Week is the question of legal liability, a matter that was of concern to parents and parent committees. I am pleased to announce that the government is in the process of finalising a blanket indemnity for existing incorporated preschool parent committees from personal liability for legal actions. Previously we had conflicting legal advice about how best we should do this, and I regret that that caused some delay. Details are now being worked through and finalised between my department and the Office of Fair Trading and Business Affairs.

We have settled on a simple legal mechanism which will involve a blanket declaration and which will be gazetted. We will be communicating with parent committees about the specific arrangements in the near future. This is a good result for the hardworking committees of management and parents who are putting a lot of dedicated work into running kindergartens. I also thank the teachers who have worked so hard to make the kindergarten reforms such a success.

Mr W. D. McGRATH (Minister for Agriculture) — The honourable member for Rodney raised for the attention of the Minister for Education the environmental activities block at Girgarre and asked the minister to consider that being held in its present ownership. Members should bear in mind that as a result of the sale of no-longer-required school assets, the Minister for Education has provided a lot of revenue for the upgrading of

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school properties and facilities around the state over the past three years, and I think even today's figure in the budget speech is about \$166 million of additional money.

That needs to be balanced between what the member for Rodney is pursuing and the direction of the government and Minister for Education, but I am sure if the honourable member for Rodney sits down with the minister he will bring about a

satisfactory resolution for the community, particularly for the Girgarre Landcare group that plays such an important role in maintaining sustainable agriculture and sustainable land in that region.

Motion agreed to.

House adjourned 10.54 p.m.

Wednesday, 6 September 1995

The SPEAKER (Hon. J. E. Delzoppo) took the chair at 10.05 a.m. and read the prayer.

FRENCH NUCLEAR TESTING

Mr BRUMBY (Leader of the Opposition) — By leave, I move:

That this house condemns in the strongest possible terms French President Chirac and his government for ignoring world opinion and adopting an arrogant colonial stance by exploding a nuclear device at Mururoa, thereby putting at risk the lives of people and the fragile environment in the Pacific region, and that the house supports the community protests in the Pacific and in Victoria and elsewhere against this contemptuous action by the French government and demands that the President of France, Jacques Chirac, immediately cancel the testing program now and for all time, dismantle the nuclear installations and take all steps to repair the damage to the environment, and that this resolution be conveyed to the French Consul General, the Australian Ambassador in France and the French President.

Recently we commemorated the 50th anniversary of the nuclear bombing of Nagasaki and Hiroshima. The message from that occasion was that such bombing should never happen again. The international community is on the threshold of agreeing to a permanent ban on nuclear testing: it is tragic that at such a time the French government has thumbed its nose at the international community and today tested a nuclear device in the Pacific.

Most honourable members would have heard at home on the radio or as they travelled to work this morning the news of the French government's decision to explode a bomb. It is clear that Victorians, members of this house and Australians generally find the French action in the South Pacific to be totally unacceptable. That action cannot be condoned, and parliaments such as this must agree to pass motions such as that moved by me to express in the strongest possible terms our contempt for the action by the French government in the South Pacific.

Members of this Parliament and people with families want to raise their children in a world free of nuclear weapons, nuclear testing and the environmental damage which nuclear weapons can produce. After a decade of debate in the 1980s

countries signed non-proliferation treaties; we thought we had achieved with the French government the abandonment of its nuclear testing, but now the French have begun a new round of testing in the South Pacific. That testing shocks and shames everybody; it is totally unacceptable and cannot be supported or condoned.

We have all noticed the arrogance, the colonial stance and the imperiousness of the French President. He seems to believe he is able to do whatever he wants in whatever way he likes in his nuclear testing program in the South Pacific.

Of more concern to Victorians is the way that the French government has continued to thumb its nose at public opinion in the face of Victorian, Australian and international opposition. I hope Parliament lends bipartisan support to the motion so that a message can be conveyed to the French President, the French government, the French Ambassador and the French Consul General that all honourable members have shown their total contempt for the French government's actions.

The French government has refused to respond to world opinion in any way, shape or form. As reported in an article by Greg Thom published in today's *Herald Sun*, the latest issue of *New Scientist* magazine makes it clear that nuclear testing has caused significant environmental damage to Mururoa Atoll. The article states that a scientific report by 20 Australian scientists concluded that the compaction of the limestone on which coral grows has caused the atoll to subside by an average of 1 metre. The article states:

Nuclear tests on Mururoa have caused environmental damage, according to a report by 20 Australian scientists. The latest issue of the *New Scientist* says federal environment minister John Faulkner commissioned the report to analyse the testing's impact.

The minister said the report 'finds unequivocally that there has been environmental damage to Mururoa'.

The scientific report says compaction of the limestone on which coral grows has caused the atoll to subside by an average of 1 metre.

The scientists also believe material has slipped from the sides of the limestone outcrop and fissures have appeared.

The article later states:

Its findings drew on information gathered during three brief visits to Mururoa by international scientific groups in 1982, 1983 and 1987.

In their report, the Australian scientists complain about a lack of access to hard data released by the French government.

The article further states:

The scientists warned of contaminated water leaking.

But the scientists go on to say that the testing has affected both the limestone and the volcanic rock in a way which is likely to increase 'the longer term potential for leakage of radioactive material'.

Testing by Australian scientists in the South Pacific shows what commonsense would have us expect: that environmental damage results from continued nuclear testing.

Fourteen environment ministers and representatives of South Pacific nations met in Brisbane from 16 to 17 August 1995. The ministers called unanimously for an immediate end to all nuclear testing in all environments and for all states to work energetically for the early conclusion of a truly comprehensive test ban treaty no later than 1996. Today's testing by the French is a slap in the faces of those environment ministers, of all people around the world who are concerned about the environment and world peace and of governments around the world that have protested vigorously against the French government's actions.

It is not often that Parliament supports motions in a bipartisan way but I hope it does so on this occasion. Despite the fact that many Victorian companies trade with French companies and that some honourable members have visited France on many occasions and have good friends there, we cannot tolerate, condone or accept in any way, shape or form the arrogant, colonial stance of the French government, its abuse of the people of the South Pacific, its disregard for the interests of the world environment movement and its disregard for our shared concern about our ability to bring up our children in a world free of nuclear testing and nuclear weapons.

I cannot put my support for this motion strongly enough. It condemns the French government in the strongest possible terms. I hope we do not continue to see the same arrogant approach of President Chirac as has been evident in the past. I hope that

having detonated one bomb today in the South Pacific, France will now have the good grace and good sense to call off the rest of its testing program for all time. Such action would receive enormous international support and would build goodwill. France's testing of a nuclear bomb today is unacceptable and has been condemned, but it now has the opportunity to withdraw from the program without losing face by ceasing testing and in so doing winning the support, goodwill and applause of people around the world.

I hope there will be bipartisan support of the motion and the opportunity for a number of speakers to briefly indicate their support. We must communicate to the French government our disgust at its actions today. This morning I heard ordinary Victorians from all walks of life and with varying political views call radio stations — I listened to 3AW, 3LO and the FM stations — to condemn in the strongest possible way this act of aggression and international irresponsibility on the part of the French government in the South Pacific.

We want testing to cease and Parliament to send a bipartisan message to the French President and the French government that their actions are unacceptable. I repeat that there is an opportunity for the French government to withdraw gracefully in good faith; having run its test today it should abandon the rest of its testing program now and for all time. France should dismantle its nuclear installations and take the steps required of a good international citizen by repairing the damage that has already been done to the environment.

I commend the motion to the house. I hope it will enjoy bipartisan support and be communicated expeditiously and as a matter of urgency by Mr Speaker to the French President, the French Consul General and the French Ambassador so that they know our strength of feeling and know in no uncertain terms that what the French government is doing today is grossly irresponsible, totally unacceptable and must stop now and for all time.

Mr MACLELLAN (Minister for Planning) — In supporting the motion the government makes it clear that it has the greatest respect for the French people and the French government as long-term allies of Australia in both war and peace. The motion is intended to express our distaste for and strong unhappiness with any testing, and I believe it should be carried without a vote as an unanimous resolution.

The testing is the issue. It is important that we distinguish between our distaste for and abhorrence of the testing and our great affection for and admiration of the French people, the French government and the role of France in Europe and the wider world. The longer term will show us the importance of maintaining good relations with the French people, the French government and, indeed, the European Community. We can concentrate carefully on the issue and on showing our strong distaste for nuclear testing in 1995, making the point that the cold war no longer overhangs world events.

The government hopes that international cooperation will make testing anywhere in the world unnecessary, and I am sure the opposition would join us in that hope. We look forward to a treaty being undertaken next year in which all nations of the world will join in voluntarily agreeing to no longer test atomic weapons.

The French obviously have an argument: if they have access to information that enables them to computer model the effects of atomic underground tests they will be willing to shorten the tests. The President of France made that statement yesterday in his national broadcast. I hope international cooperation between the major powers that have nuclear weapons and information about testing them will lead to the exchange of that information so that governments such as the government of France and others around the world will no longer be tempted or feel obliged or required to test independently to discover what is already known.

On environmental grounds we do not approve of nuclear testing anywhere in the world. Our concern goes beyond our own region to the extent that we say no matter where tests occur we are equally offended by them. I do not seek to amend the motion to encompass that wider field, but on behalf of the government I express distaste for and abhorrence of nuclear testing, and that applies as much to French testing as to any other country's testing. I am sure the opposition would have a similar view, although it is not expressed in its motion. The motion addresses the series of tests being undertaken at present on Mururoa.

I believe a quiet anger and a quiet expression of views by this Parliament and the broader community will achieve more than noisy and uncontrolled demonstrations against things French. It is possible to push the French community and the French government into a harder stance on nuclear testing if we lose focus on the exact issue we are

addressing. We will continue to address the real issue of our abhorrence of nuclear testing and our hope, because of our concern for world peace, for the world environment and for the broad needs of peace and security in a post-cold war world, that the international community will arrange for such an exchange of information on nuclear weapons as might be needed to avoid any further testing anywhere in the world. We take on board the former world situation where there were two armed camps — the communists and the non-communists — each armed with nuclear weapons, but that is no longer a relevant issue.

We should take advantage of the new era the world faces and apply a new test ban treaty that is supported by all countries without any country rebelling or holding back cooperation. I hope we will have a more positive atmosphere so that the nations that have nuclear weapons and nuclear capability will cooperate with each other to avoid any individual nation believing it must conduct tests to reassure itself on information that, unhappily, is probably already available in the world's scientific community.

The government is delighted and pleased to support the motion and believes it should be carried on the voices. The motion addresses the issue of our abhorrence of the nuclear testing the French government believes it must undertake, and our affection and respect for and delight in the people and government of France. I hope we will be successful as a Parliament and as an expression of the people of Victoria in reinforcing our position to the French authorities.

Mr BATCHELOR (Thomastown) — At 7.30 a.m. Melbourne time the French government exploded a nuclear device at Mururoa in the Pacific, which is in our part of the world. That action by the French government is absolutely outrageous and contemptuous. It is only right that people around the world, particularly in the Pacific region, voice their opposition. Today people in the city of Melbourne and throughout Australia will be voicing their disgust at the actions of the French, who set off what is euphemistically described as a nuclear device, which is nuclear-speak for a nuclear weapon.

At Mururoa the French are drilling deep into the basalt rock that is the foundation of that fragile atoll and are exploding nuclear warheads. The impact of that nuclear warhead explosion was recorded in Australia on a seismograph as the equivalent of 5 on the Richter scale, which is a significant recording.

One has only to recall the tragic and catastrophic earthquake that destroyed Newcastle, which was approximately 5.5 on the Richter scale, to understand the effect of the French explosion.

In our backyard, our part of the Pacific, the French have exploded and tested nuclear warheads, albeit underground, and by doing that they triggered earth movement and shock waves beneath the surface of the fragile atoll to such a degree that they were able to be recorded in Australia. The French have drilled deep into the basalt rock and as a result huge cavities have been formed below the surface that fill with molten rock and radioactive debris that will remain there for thousands of years posing a direct threat to the environment. Fractures and vents in the surrounding rock and the subsurface of Mururoa will allow the seepage of radioactive material into the surrounding marine environment for thousands of years to come.

The French government says these tests are safe and will cause no problems, but that is what the French government said about its earlier atmospheric testing in the same area. It tried to convince the people of the world and the nations of the Pacific that those atmospheric tests were safe and that there was nothing to worry about, but we know that was an absolute lie! We know of the huge and long-lasting impact those nuclear tests had on the Pacific and on Australia, and the same will be true with the underground tests. The simple retort that has come from many people in Australia is, 'If these tests are so safe, why not conduct them in France rather than in France's colonial outposts? Why isn't this testing program in the Pacific being packed up, as we would like it to be? If they are so convinced it is safe, why don't they take it back to France and see how the French community responds?'

I assure you, Mr Speaker, that the French people would not tolerate the testing of a nuclear device in France. It is ironic that a country that was once the champion of liberty, equality and fraternity is now so insensitive to the deeply felt concerns of the countries and people of this region. We are concerned not just for the people of Australia but for the people in the countries that are at the centre of the testing program in the Pacific. Those people are on the front line, and the seepage of nuclear waste beneath the surface is contaminating their environment. They rely on the seas for food; the waters surrounding their islands are part of their way of life. As a country on the rim of the Pacific Australia has a responsibility to ensure that its voice

is heard loud and clear around the world — and that is our duty today.

The test conducted at Mururoa Atoll is the first in a number of tests that the French government has planned to improve its nuclear weapons system. The French government has conducted more than 100 nuclear tests in the Pacific, and many of those have been conducted below the earth's surface. Scientists have said that the earth under Mururoa Atoll is like Swiss cheese: it has huge cavities caused by the blasting that has occurred over many years. That presents problems of disintegration and nuclear waste seepage into the Pacific Ocean, as well as the worst-case scenario of the break-up of Mururoa Atoll. That would have a catastrophic impact not only on the atoll but on the surrounding islands, including even Australia.

More than 70 world scientists have called for an end to the nuclear testing program so that a comprehensive assessment can be made of the environmental impact the program has had on Mururoa and the surrounding atolls. The French government has said it will allow scientists to go to Mururoa to observe what is happening. No doubt the government will set out to wine and dine the scientists and then send them back to where they came from. But these scientists want more than the right to observe the testing program; they want a comprehensive assessment made of what has already occurred, what is happening today and what will occur in the future.

The French government's attitude amounts to treating the people of the region with utter contempt. The nations and peoples of the Pacific region do not want the nuclear testing program conducted in their region. Australians do not want the program conducted in this sphere of the world. Today the Parliament of Victoria will reject the arrogant view of the French government that the testing program is necessary.

We want to send a clear message to the French government. In doing so we should remember that many French people living and working in Australia are opposed to the actions of the French government. The resolution of the house should not be seen as an act against French people living in Australia. This is a campaign not against the French people but against the actions of the French government. Australians and the French fought side by side to defend France during the two world wars. Australians contributed to the conflict in Europe to protect French sovereignty and liberty. The French

government's forgetting about the contributions and sacrifices those Australians made is an insult to Australia.

We are unable to understand the arrogant and contemptuous attitude of the French government and its continuation of its colonial regime. This era has seen the passing of expansionist colonial policies, yet the French government is tenaciously hanging onto its colonial past because of its desire to continue its nuclear testing program. Clearly the French government has forgotten about the assistance that people around the world gave to France in its darkest hour. The attitude of the French government diminishes the value of the role Australia and other countries played during the Second World War.

We cannot allow a nuclear testing program in this part of the world. We have sent a message to the French government asking it to stop the program. We have asked the French to renounce the colonial attitude that allows them to control and dominate many people in the Pacific. The civilised world now recognises that there is no need for nuclear weapons or their testing. This is a significant day for the Parliament of Victoria because the motion will be passed unanimously. That is testament to the opposition of Victorians to the French nuclear testing program that has commenced today.

Mr PESCONT (Minister for Industry Services) — It gives me great pleasure to join the debate on the motion moved by the Leader of the Opposition expressing dismay and the strongest opposition of the Victorian people and its Parliament to the actions of the French government and French President Chirac in renewing France's nuclear testing program in the Pacific.

I take up one of the points raised by the honourable member for Thomastown. Many young Australians made the ultimate sacrifice in defending French soil against an enemy. In doing so Australia recognised the importance of self-preservation and the need of countries such as France to defend themselves against their enemies. Nobody would oppose the view that every country has the right to defend itself. In fact, it could be argued that that view should be second to no other view and that every country should take steps to preserve that right. That is the basis on which President Chirac is conducting the nuclear tests, but this time he has got it completely wrong.

Although we all acknowledge that there is probably no more important reason for a country to operate than to make sure its boundaries are secure, we need to examine two points. Firstly, as is reflected in the wording of the motion, the territory where the testing is taking place is not France — it is French territory according to French law but it is not France. We support France's right to do what it thinks is necessary to defend its shores, but it should also catch up with the rest of the world: no other country still believes it is correct to regard a territory as part of itself.

I once said to a French consul in Melbourne that France was one of our closest neighbours. He said, 'What do you mean?'. I replied, 'Noumea is French according to you, and is one of our nearest countries, so you are one of our nearest neighbours.' He was embarrassed because although no Frenchman really thinks of these Pacific territories as being France, the French carry on with the myth that their old colonial areas are still part of France. If they did not hold that old-fashioned belief they would not be testing in the South Pacific. The French say they are testing on French soil because they regard this area as France, yet it is not French soil. It is not France; it is an atoll in the Pacific.

The land on which the tests are being conducted will never be the same again. If one day the French pack their bags and leave it will be impossible to restore the atoll to the condition it was in before the tests. The French government needs to understand, firstly, that the area it is bombing is definitely not France, even if it likes to say it is; and, secondly, that the cold war has ended. The arguments that were put forward for many years that countries with nuclear weapons should continue to develop those weapons to maintain a deterrent are no longer valid — they went with the pulling down of the Berlin wall and the collapse of the government in the former Soviet Union.

I remember that as a member of the Australian delegation to the United Nations in 1972, I was a member of the first committee that looked into and opposed, with all the vehemence it could, French atmospheric testing in the Pacific. I took part in the official debate, opposing atmospheric testing in the Pacific.

At that time the reality of the nuclear world was that the Russians and Americans, but not the French, were able to test underground. It was merely a question of technological expertise that in the 1970s the French conducted atmospheric rather than

underground testing. Once they got the hang of how to do it underground they made a magnanimous announcement that they would no longer do atmospheric testing, but it was merely a technological catch-up.

Since then there have been further catch-ups and, as other speakers have said, there are other ways of working out how to keep a nuclear capability if that is what France considers it needs to defend its territory. However, there is no longer a need for a country like France to have that deterrent — one could argue that there is no longer a need for any country to have it — because it is very much tied up in a united Europe. France has very much been a part of bringing Europe together, and a united Europe has a link through NATO to that deterrent if it is considered necessary.

President Chirac, who has displayed an arrogance beyond belief, now realises that the two justifications which may have existed for French nuclear testing no longer exist. The reason for the testing is an international political reason: to try to foster French nationalism. I was in Europe in recent months and it was quite clear from what I heard in countries close to France and from European press reports that the move has backfired in a big way. Yet President Chirac feels he must continue with the tests to save face.

The government supports this important motion. It is important that President Chirac and his representatives in Australia are told that we do not support what he is doing, and that we would like to give him the opportunity of using the opposition from Victoria, Australia and other countries as a reason for stopping the tests. It is important to understand that Mururoa Atoll is a long way from Australia — as far away as Bombay and Beijing — and that our real strength is that we are as one as a country and that we are as one with many other countries, including European countries, who are arguing that this should stop. In this protest we should be supporting the people who are on the back doorstep of Mururoa Atoll because it is they who have to put up with the fact that the land will never be the same again and whose normal life in the Pacific will always be affected by the activities of the French. We should be doing anything we can do to help the small Pacific island states.

The French have always had a funny view about nuclear weapons and things nuclear. I was also a member of the Australian delegation to the second Nonproliferation Treaty Review Conference in

Geneva in the late 1980s. At that time the French regarded themselves as being in a special position: they adopted the position that anything nuclear was so important and so dangerous that nobody understood it, except the French.

It was an example of the sheer arrogance of the French that they felt they could quietly supply, firstly, Iran and, later, Iraq with nuclear technology; that no-one else could do it, but because they understood it better than anyone else they were in a position to conduct nuclear commerce around the world. There is an element of that French arrogance in what is happening at Mururoa Atoll where President Chirac and his government think they know best. As I have said, we do not have any argument with the French people. We have warm, strong ties with the people of France and over many years we have done many things to help the French. In the last world war Australia came to the call; it was Australians who spilt blood on French territory in order to defend the boundaries of France. Here we have an issue, which is a matter of national pride for the French government, that has totally backfired and is something which we totally oppose.

As I said before, it gives me great pleasure to join this debate and support the motion before the house sending a strong message to the people of France on how much we appreciate them, and a strong message to the President of France that he should stop nuclear tests at Mururoa Atoll.

Motion agreed to.

The SPEAKER — Order! I undertake to write to the French Consul General, the Australian Ambassador in France and the French President outlining the resolution of the house. As a courtesy, I shall send a copy of my letter to the Minister for Foreign Affairs, Senator Evans.

PETITION

The Clerk — I have received the following petition for presentation to Parliament:

Fawkner-Campbellfield Community Health Centre

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

We the undersigned are residents and ratepayers of Fawkner. We are petitioning to keep the Fawkner-Campbellfield Community Health Centre

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open. It is not fair that a community such as ours has to lose a valuable centre such as this. We are urging the Moreland City Council to ensure that it remains open with all of the current services and facilities.

And your petitioners, as in duty bound, will ever pray.

By Mr Thomson (2642 signatures)

Laid on table.

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Mr BRUMBY (Leader of the Opposition) — I wish to move the adjournment of the house for the purpose of discussing a definite matter of urgent public importance — namely, the government's failure to address the crisis in the child protection system as evidenced by the submission to the Auditor-General of the Children's Welfare Association of Victoria and the failure of the Minister for Community Services to rule out further cuts to children's protection services.

Required number of members rose indicating approval of motion being put.

Mr BRUMBY (Leader of the Opposition) — I move:

That the house do now adjourn.

In moving this motion I note at the outset that the measure of a decent and a civilised society is the extent to which it nurtures, protects and supports those who are most vulnerable in our community, and that applies particularly to children who deserve the full support and protection the state can offer.

All Victorians want to build a better, stronger and fairer state, but to do that requires strong institutions, a strong education and community support system, strong communities, strong families and a commitment from government to help those who are most vulnerable and those who are at most risk in our community. In particular, it requires a commitment to support children who are at risk.

Good government is about getting priorities right. It means being able to separate those things that are essential for a government to do and those things that we might describe as the luxuries a government can do — that is, the non-essential things. As I will show in this debate, this government has not got it right. It is not meeting its responsibilities to the

children of Victoria; it is not meeting its responsibilities to children in need.

There is a crisis in the child protection system in Victoria. This government has found huge amounts of money for non-essential luxuries such as consultancies. In two years it has spent \$200 million on consultancies, which is as much money as the previous Labor government spent in 10 years. The government can spend and waste money on political advertising — it has budgeted to spend some \$35 million in the next year. It can spend and waste money on party political polling; it can spend and waste money on new offices for the Premier and Treasurer. It can find in yesterday's budget an extra \$6 million for the bigwigs in the Premier's office, but it cannot find the necessary resources to resolve the crisis in the child protection system.

It does not matter who you talk to in Victoria, everybody except the Minister for Community Services and his backbenchers agree that there is a crisis in the child protection system. Everybody agrees that when it comes to the question of priorities in government the no. 1 priority must be the responsibility to the most vulnerable in our community. The responsibility of the government is to its children. The responsibility is to protect those who are at risk through no fault of their own and who are unable to protect themselves.

This government established a clear agenda in child protection in 1993 when it announced that it would slash funding by 12 per cent when it took \$7.5 million out of the system. The funding cuts, the mismanagement and the attempts to ignore or hide problems have resulted in a system near breaking point. This government has swept away most of the reforms initiated by the previous Labor government in the late 1980s after the first review of the system by Mr Justice Fogarty. In 1993 the government said that some 400 residential beds could close because they were 'in excess to the system'. The plan was to shift the burden to foster parents and non-government organisations.

The government said in this year's May economic statement that it is putting \$9 million back into the system. However, if you look at the fine print, I am not sure whether it is putting that money back into the system and whether it will make a substantial difference to the way the system operates. What every member of this Parliament wants to know and what every member wants to hear guaranteed by the minister in his comments today is that that money will go into the system, will not be lost in

other budget cuts and will not be siphoned off into other areas.

I note with great concern, and I will refer to this matter a little later, a leaked budget document showing that, despite the so-called extra money being put into the system by this government, the Minister for Community Services wants to increase productivity of child protection workers by around 14 per cent. In a system that is already grossly overloaded and where case officers are grossly overworked, this minister wants to increase the case load of child protection workers by another two children or by another two families. That is 14 per cent of an average case load of 12, which is already too high to manage. Despite that, the minister wants to increase that case load by a further 14 per cent.

We want to see the minister managing the system properly. We want the minister to confront the problems instead of hiding behind the bureaucrats. We want the minister to work with the community, non-government organisations and with the child protection workers rather than working against the community.

Make no mistake, there is a crisis in the child protection system. A parliamentary committee has said there is a crisis; the Children's Welfare Association of Victoria (CWAV) says there is a crisis; the minister's department says there is a crisis, and I will refer to one of the minister's own departmental documents in a moment; Mr Justice Nicholson and Mr Justice Fogarty say there is a crisis; and the churches and non-government organisations say there is a crisis. How many people across this state from all walks of life representing all sorts of interests have to say there is a crisis in the system before the government acts?

How many people have to say that? All of those groups say there is a crisis in the system, yet the budget that was brought down yesterday contains plenty of money for the big end of town. If you are one of the high rollers, if you are a big wig, if you are a fat cat or if you are at the big end of town, there is plenty of money in the budget for you — but there is not much money for child protection, is there, Minister?

Mr John interjected.

Mr BRUMBY — I will come to that in a few moments. I will tell you about the \$19 million and ask whether you are using the money for the purpose for which it was intended.

Let's look at the record. The first report, *Combating Child Sexual Assault — An Integrated Model*, was brought down in June of this year by the Crime Prevention Committee, which includes government members. The report is scathing of the child protection system. The committee found that Department of Health and Community Services officers were deflecting as many notifications of child sexual abuse as possible to reduce their workload because they just could not cope. That is not Labor Party talk. That criticism comes from a report of a parliamentary committee that is dominated by government members, who say that the system is in a chronic crisis, so much so that child sexual abuse cases are being turned away.

I return to what I said at the beginning of the debate about the government priorities that are discussed when the Minister for Community Services and his colleagues sit around the cabinet table. What is the government's no. 1 priority? I know governments must balance budgets, but what is the no. 1 priority you talk about when you sit down at the cabinet table, Minister? Is it more money? Is it tax concessions for the high rollers at the casino? Is it more money for the Premier's department or \$200 million for consultancies? Is it political advertising to get the message out to the electorate in the run-up to the election? It should be none of those things.

Child protection services must be the first priority. We know there is not a bottomless pit of money; but when ministers sit around the cabinet table and ask, 'What are the things we must address? What fundamental things must the government do?', the answer surely has to be children and ensuring their protection. Nevertheless, that government report says many notifications of child sexual abuse have been turned away.

At the weekend I launched the White Ribbon campaign, which has grown out of a Canadian movement that is concerned about sexual violence by men against women and children. In that light I repeat: the report of the all-party Crime Prevention Committee says that notifications of child sexual abuse are being turned away because of the shortages of resources. I do not think that is right. It must be addressed!

The report went on to say that cases of child sexual assault were not being investigated thoroughly, that child protection workers were making inappropriate decisions, that police were not being notified of assaults or were being notified only after long

delays, and that child protection workers were not being adequately trained to carry out investigations. That is the first report on the issue, not by John Brumby, Sherryl Garbutt or Justices Fogarty or Nicholson but by an all-party parliamentary committee.

I refer to a second report, the department's own report dated July 1994, a copy of which has been leaked to the opposition. The minister might say, 'Gosh, it's a year old', but it is current in the sense of identifying problems in the child support system. The report is an internal Department of Health and Community Services document headed *Report of the Protective Services Workload Review*. The report reveals the shocking burdens being placed on child protection workers, who are massively understaffed, under-resourced and unsupported and have case loads that are described as 'negligently high'. The minister and the government have agreed with most of the recommendations in the internal report but have failed to resolve the problems. They have failed to act on nearly all the recommendations and have refused to meet the staff or their representatives to discuss the implementation of the report.

Both reports show that there are simply not enough entry points to the system. Even when the department or the Children's Court is able to process the cases, insufficient services are available to support the children. Even though I could quote at length from the internal report I shall not, because the opposition intends releasing it, which will make interesting reading.

I refer to another, leaked document entitled *Business and Budget Planning for 1995-96*. The document, which was released in December 1994, shows that you cannot trust this government and you cannot trust this minister. It shows that although the government talks about providing extra money for child protection, continuing budget cuts and budget caps are the reality. This minister and this government's desire for strong productivity growth in child protection services — that is, 14 per cent — means that any additional resources will be well short of those needed to meet the increased demand.

I will make the meaning of that absolutely clear. Each worker in the system has an average load of 12 cases, which is already too high. The department's officers and the department's internal report say it is too high, and the all-party parliamentary committee says people are overworked. The leaked internal budget document

from the minister's own department shows that, far from reducing that average workload, the government intends to increase it by 14 per cent. If you do some arithmetic you will see that that means a case increase of approximately 2 in addition to the 12 each worker is already managing. The average case load is 12, which is already too many. People are not coping, there are not enough entry points to the system and cases of child sexual abuse are being turned away. Yet the internal document shows that the minister and his department intend to increase the average to 14.

Back in 1993, there was an outcry about the original cuts in child protection services, and the government took the big stick to those who dared to protest against the cuts. The Premier and the minister got stuck into Justices Fogarty and Nicholson, the Children's Court Magistrate, Greg Levine, VCOSS, CWAV, Catholic Social Services, the Victorian Youth Affairs Council, NAPCAN, the Caroline Chisholm Society and the Human Rights Commission, all of which criticised the cuts. The government told them they were wrong and that it knew best. Victorians are getting sick of this arrogant government, which does not listen.

One of the more disturbing aspects of what occurred back in 1993 is that those critics who spoke out against the government were vilified, attacked and, in some cases, had their funding taken away. I have a letter which was sent in 1994 to the then executive officer of the CWAV, Margaret Roberts, who was one of those who dared to speak out, dared to speak the truth and dared to say that there was a crisis in the system. The letter basically says, 'You will have your funding cut'.

That is what happens in Victoria today — sack them or attack them! People who speak out against the government have their funding taken away or get sacked or attacked. The list includes the former Director of Public Prosecutions, the former equal opportunity commissioner, the Albert Park protesters, teachers — under teaching service order 140 — and local councillors. Anyone who speaks out against the government gets sacked or attacked. I repeat: people such as Justices Nicholson and Fogarty and the others on the list I have read from were criticised and vilified; and in some cases they felt the wrath of the government and its indiscreet threats to their organisations' funding.

Workers in the system have become characterised by low morale and inexperience. There is high staff turnover. Not surprisingly, child protection services

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have become characterised by delays, gaps, ineffectual responses, and government mismanagement. Nothing has really changed since 1993.

I refer to a couple of new reports. The first is the Auditor-General's performance audit of child protection services in Victoria. The report was due out this month but it has been delayed until November for further work. The fact of the matter is the government is running scared of this report because it knows it will contain the undeniable facts. Those facts are that the needs of Victorian children requiring protection are not being met and that children are being failed badly by the system.

I understand the report will show the following: firstly, that workers are carrying massive case loads against the recommendations of the department's review of an average caseload of 12.5 per worker. Massive workloads mean even the most experienced workers cannot be confident in their handling of cases. Secondly, the report will show that there are turnover rates among child protection workers of around 9 to 12 months, and you have to ask why that is occurring. I know why it is occurring and so does the minister. I hope today he can be frank and honest in the Parliament in addressing that issue.

Thirdly, the report will show there has been heavy recruiting of university graduates. The report will say that is ineffectual because there has been little support or supervision on their arrival. It will say clients are having frequent changes in case workers and that on-ground supervisors of child protection workers are grossly overburdened. The report will say on any given day around 40 per cent of cases are not covered or are nominally covered by supervisors because workers are sick, on training, on holidays and so on, and because staffing levels are chronically short.

I am told the report will also show that the issue of retention of child protection workers, including how it impacts on the quality of services and workload, has not been seriously addressed. It will show that children are receiving inappropriate multiple placements; that children's lives are being left at risk — in many cases children who have been assaulted or battered — and that no-one is accepting the responsibilities. Finally, I expect the report to show that non-government organisations, foster parents and existing residential units are at maximum and full capacity. That is likely to be the thrust of the Auditor-General's report in this area because they are the facts about child protection

services in Victoria today. I have another document that refers to further steps the government is intending to take that will mean further cutbacks in child protection services. The letter I have is dated June 1995 and signed by the Department of Health and Community Services, so it is post the May economic statement. The document shows that the minister is planning to close two more residential units — I learnt this only yesterday — in the north and the west of Melbourne, the two regions with the highest level of need. Foster parents are in high demand and short supply in those regions. I await with interest the minister's response today. I have talked to workers in those regions and I have looked at the statistics on the needs in those regions. To be informed yesterday — and I was provided with a document showing it — that residential units are to be closed in areas where there is already chronic demand and chronic shortages and where foster parents are in huge demand and short supply is beyond my comprehension. It is beyond decency. I cannot see any justification for the closure of those units. I urge the minister not to close any more units and not to close any more beds, particularly in the north and west of Melbourne, and to give his firm commitment today in this debate that he will prevent further cuts to the system and deal with the resourcing issues of his department before the Auditor-General yet again exposes the shambles.

All of us in this house would like to see the government getting priorities right, but the fact is this government is not getting priorities right.

I have another document dated September 1995 from the Youth Affairs Council of Victoria. It is a copy of a letter from the Minister for Community Services seeking clarification on the mandating of youth workers. The last paragraph of the minister's response says:

I anticipate that gazettal of further professional groups will be considered in light of advice from the mandatory reporting reference group, evaluation of the expected impact of further gazettal on service demand, and an assessment of the capacity of the child protection system as a whole to absorb this demand.

That is bureaucratic doubletalk for saying the minister is walking away from mandatory reporting. I invite the minister in his response today to give a firm and unequivocal commitment that the government is not walking away from mandatory reporting and not walking away from its responsibilities under the child protection system. The letter is signed by the minister. As Sir

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Humphrey Appleby would say, that means the minister is walking away from mandatory reporting. There is no other interpretation.

Mrs Peulich interjected.

Mr BRUMBY — I will respond to that interjection. The Parliament as a whole supported the legislation. It is the right legislation. It is the right direction for Victoria, and having put it in place it should be supported. That is what I am saying in the debate today, and that is what I want the minister to support today. The honourable member was not here earlier in my contribution when I made it clear that if you sit around the cabinet room and work out the things that are essential for a government to do and the things that are non-essential, I would have thought looking after the needs and interests of children would be at the top of the list.

As I pointed out in the debate today, that is not happening — \$6 million was allocated in yesterday's budget! I am not sure if backbenchers are aware of this. The Premier has just spent \$30 million on new offices for himself and his Treasurer.

Mrs Peulich — To save much more.

Mr BRUMBY — No, he has done that. He has spent \$30 million so he can get a hot shower. I asked a question in this Parliament in 1994 about Treasury Place. The Premier said he needed to change Treasury Place because he could not always get a hot shower there.

Mrs Peulich — Rubbish!

Mr BRUMBY — Don't say rubbish. It is in *Hansard*. So he spent \$30 million fixing up Treasury Place. It was good enough for John Cain; it was good enough for Joan Kirner; it was good enough for Lindsay Thompson; it was good enough for Dick Hamer — but it was not good enough for Jeff Kennett! Then in yesterday's budget another \$6 million was allocated for the policy and coordination group, one of the few areas to get a spending increase in the budget. I see the honourable member for Rodney is here. He can have a look through the budget. Have a look at what it did to agriculture: fewer services provided to dairy and poultry farmers, absolute cutbacks in the amount of services provided to country people, nothing on petrol prices, nothing on regional infrastructure, nothing on uniform tariffs.

Mrs Peulich — Labor rhetoric. All talk!

The DEPUTY SPEAKER — Order! This is an important debate. The level of interjection is not conducive to the debate. I direct the honourable Leader of the Opposition to direct his comments through the Chair and not invite interjections across the chamber.

Mr BRUMBY — I make the point that the Premier, having spent that amount of money on new offices for himself and his Treasurer, now finds in yesterday's budget, in the midst of an anticipated \$600 million worth of further spending cuts, a further \$6 million to boost policy coordination and direction in the Premier's office. That is for the employment of more consultants, more bigwigs; it is to build an empire around the Premier so that he can work out where to make further cuts in health and community services, education, transport and police services.

There is a better way of doing things in the child protection area. I will make several recommendations to the minister, and I hope he takes them up and responds today.

If we want the child protection system in this state to work we need to do a few things. Firstly, we need proper assessment of the necessary resources for the successful implementation of mandatory reporting. This Parliament in a bipartisan way supported mandatory reporting, but decisions that parliaments make have consequences, so if we have mandatory reporting — if we agree it is the right way to go — the first step is to assess what the resource consequences of that decision will be. That has never been done by this government.

Secondly, the government needs to consult and work with non-government organisations on the support services needed, including the right mix of services. That has not been done. The minister and his department treat many of the non-government organisations with contempt. We saw it today when I mentioned some of the people who have been critical of the system, and the minister just sneered across the table at some of those names. People are entitled to put a view in the public domain about the system. The minister may not agree with it, but they are entitled to put a view and he should be responding in a civilised way, not simply vilifying and sneering at those who dare to criticise a system that clearly is failing.

Thirdly, the government needs to work with young people: it must respect their rights and work to restore their dignity. Fourthly, we need to bring

back some of the experts in the field to advise the government on how to deal with systemic problems. There is a systemic problem. The opposition knows that. The Parliament knows that. We know this is a hard issue, but we will not solve the problem by burying our heads in the sand.

Fifthly, we need better support for child protection workers, including better resourcing and improved morale to enable us to secure a skilled and motivated work force in the child protection system that is better able to deal with the extreme pressure involved and the sensitive judgments required. Finally, we need to deal with the problems openly to ensure a rigorous and independent scrutiny of the system to restore community confidence in the child protection system.

Those six points would provide substantial improvements to the way our child protection system operates, but there is one other ingredient the system does need: additional resources. I can go through yesterday's budget — I will be doing that in the budget response — identifying areas where the government has the priorities wrong, areas where the interests of the big end of town have been put before the interests of those whom the government has the responsibility to protect.

I return to the original points I made in this debate. All members of the house want to see a stronger, fairer and better Victoria, but the government cannot do that without strongly supporting families and communities. The fundamental obligation of government has to be to support those most vulnerable, those who cannot protect themselves — that is, our children. By any measure, whether it be the parliamentary committee report, the letters I have quoted about more closures of residential units, the submission of the Children's Welfare Association of Victoria or the department's internal report — no matter whom you talk to — there is clearly a crisis in the system. The minister must address it. I invite him to do that today, and I invite him to do it in a constructive way, not in a negative, sneering way while he continues to vilify and attack those who would dare criticise his programs.

Mr JOHN (Minister for Community Services) — I have sat here for half an hour and listened to the Leader of the Opposition making a litany of statements: untrue, misleading — a combination of speculation with no substance and rubbish. His speech reeked of political opportunism as he sneered his way through the half an hour of his address making cheap political shots, with no real,

deep, genuine concern for children at risk in this state and nothing constructive offered.

The Victorian government is absolutely committed to the protection of children in the state. It is my first priority in community services, and the department spends \$120 million every year on child protection, which is an increase of between 25 and 30 per cent. Before the coalition came to office the Labor government was spending \$31 million on the child protection service. We are now spending \$45 million in the system because we care about children at risk, and we have put the resources where they are needed. It galls me to come in here and sit through the 30-minute speech of the Leader of the Opposition as he takes cheap shots and puts forward inaccuracies — —

Mr Bracks interjected.

Mr JOHN — The honourable member says that is what democracy is about. That's right. I listened politely through his sneering speech, including his untrue statements, misleading statements and absolute rubbish.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The honourable member for Dandenong North will pay respect to the Chair when the Chair is speaking. I asked the house to afford the Leader of the Opposition the courtesy of some silence while he was presenting his argument on an important issue, and I expect no less for the minister in his response.

Mr JOHN — When we came to office in October 1992 the child protection system in this state was in disarray. Under Labor the system did not cope, and there were many cases of children falling between the stools. There was an inadequate safety net to properly protect children in this state. About five years ago, before we came to office, the inadequacy of the system was highlighted by the tragic death of the young toddler Daniel Valerio. Daniel Valerio was an injured toddler who slipped between the stools of the system, and the system failed him.

When the coalition came to office in October 1992 it commenced a number of major reforms to the child protection system, including the completion of the 24-hour emergency service seven days a week — the only 24-hour service in Australia. We completed the single-track system of child protection where the priority was with community services, not with the

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police. We moved care to home-based and foster-based care rather than institutional care.

Ms Garbutt interjected.

Mr JOHN — The honourable member for Bundoora said that was a disaster. I point out to the house that 3200 beds were being funded by the Labor government when the coalition came to office. Every night of the week in Victoria 400 of those beds were empty because you funded your union mates to run institutional care!

The DEPUTY SPEAKER — Order! The minister will address his remarks through the Chair and not provoke interjections across the chamber.

Mr JOHN — The legislation was passed many months before mandatory reporting become law in Victoria in November 1993. That reform mandated police, doctors and nurses to report cases of child abuse, and in July 1994 teachers were also mandated. That resulted in an increase overall of about 53 per cent in the number of reports of suspected child abuse in Victoria. Last year we received about 31 000 reports, and we expect about 34 000 reports this year.

The Leader of the Opposition listed a number of agencies and persons whom he suggested I should consult with. I advise the house that almost daily I see people from the non-government sector and consult with them, and of course I have a number of consultative committees. The comments he made about Mr Justice Fogarty are laughable in that this government has implemented all of the major recommendations of the many reports of Mr Justice Fogarty.

Ms Garbutt — You have not!

Mr JOHN — About half of the 31 000 reports last year are substantiated reports and require further action either by government or the non-government sector. That may include a wide variety of support for families, including referrals and expert care, but 7 or 8 per cent of the reports required court intervention at the sharp end of the system where often the court must make an order to remove a child from a family. Those percentages have continued to hold sound with the new reporting numbers as a result of the introduction of mandatory reporting. Anyone with some intelligence will realise mandatory reporting has been a great success in that it has flushed out hitherto unreported cases of child abuse.

Ms Garbutt interjected.

Mr JOHN — The honourable member interjects and says that we do nothing about it. Yesterday's budget documents showed additional funding of \$9.4 million, which takes the funding provided by the government since the introduction of mandatory reporting to \$19.3 million. That funding will provide more than 300 extra bed places for children; the number of bed places will increase from 3040 in 1993-94 to 3367 in 1995-96. The government spends more per capita on children at risk than any other state government. That is a major commitment to the child protection system in Victoria. The department now has more staff than ever, with about 650 protection officers in the system. The government has allocated more resources than ever and has provided better training for its staff. Victoria is the only state with a 24-hour-a-day child protection service.

Another function under my jurisdiction is the more indirect allocation of support to families in line with existing child protection services in Victoria. Many of the services are based on the philosophy that prevention is better than cure, and early intervention will often result in a family being supported and kept together. That avoids the family becoming dysfunctional, which can on many occasions result in child abuse. I assure honourable members of the government's continued interest in prevention of family dysfunction, and of its support for families.

Among the government's many programs the family support program funds 125 non-government and church agencies in Victoria with a total budget of \$13 million. The agencies include church, ethnic and Koori agencies. Also, recently the government has announced major changes and improvements to better parenting programs and training for young parents; it has improved family counselling and case work. In the past few months the government announced an allocation from the Community Support Fund of \$4.7 million to support families at risk of falling apart. That action is supportive of children at risk of abuse of various sorts.

The government has a large number of innovative programs such as the Families First program, which involves intensive family support in every region of the state. A trained worker may help a family to identify its problems, which could involve alcohol or drug abuse, unemployment or financial problems: the worker can assist members of such a family with counselling or referral to counselling. That program

has had a tremendous success rate in keeping families together.

The Leader of the Opposition spent some time in telling the house that I do not consult. That is the most laughable claim made in this house for some time, because if ever a community services minister has consulted, I have. I have established a mandatory reporting consultative committee containing some of the most talented and expert people in the field, many of whom would not be involved in politics or in necessarily supporting the government's political views. The committee consists of experts in the child protection arena, and child and family support workers. I meet regularly with that committee.

The Leader of the Opposition said I should meet and consult with the Children's Welfare Association of Victoria. I meet regularly with that association, and only last Wednesday I met the CWAV executive. I meet its members whenever they want to see me. I meet regularly with the Family, Adolescent and Child Welfare Consultative Committee which was established by me; it is involved more with older children and adolescents and with family support. This committee is made up of some of the most significant players in the non-government services field. I find it amazing that the opposition would dare suggest that the government does not consult when indeed I consult almost continually. I adopt suggestions because I believe child protection generally and the protection of children at risk is a government and a community problem. I am the last minister to want to play politics in an area such as this because it is most important that we protect the young: they are our future.

The adjournment motion moved by the Leader of the Opposition included two aspects that I shall comment on. He stated that a submission of the Children's Welfare Association of Victoria has been made to the Auditor-General, who is investigating child protection in Victoria as part of his normal statutory role. The front page of the *Herald Sun* of last Monday, 4 September, contained an article written by Michael Pirrie. I remind honourable members that it is important for the CWAV to work closely with the government.

That document was an eight-month-old leaked draft and did not present the official position of the CWAV. I understand no submission by the CWAV has yet reached the Auditor-General. When I met with it last Wednesday the CWAV executive did not raise any problems with me. The CWAV was

contacted last Friday when it informed the journalist Michael Pirrie that the leaked document did not represent the association's current view. The CWAV was shocked when its members saw the article by Michael Pirrie in last Monday's *Herald Sun*. On 4 September, following the publication of the article, the CWAV wrote to the editor in chief of the *Herald* and *Weekly Times Ltd* saying:

I am writing to let you know the results of the unscrupulous and unethical reporting of your Michael Pirrie in today's front-page story 'Child Abuse Alarm'.

He was also told that the situation had improved markedly since February when the comments were made.

Taken out of context and placed on the front page of the newspaper you have all but destroyed our positive influence and take us back to a situation where whatever we say will be seen as whingeing and negative.

The CWAV further states:

Michael Pirrie has all but destroyed the positive outcomes of our relationship with your newspaper and set the child and family welfare field back 12 months.

I emphasise that not only do those sorts of scurrilous articles, full of misleading information, cause a lack of confidence in the system, but the comments made by the Leader of the Opposition today do likewise.

Ms GARBUTT (Bundoora) — It distresses me to again have to debate in this place the government's failure to provide an adequate child protection system. The government's failure has been a disaster for our children. In many instances we argue about political matters in this chamber and we accept the consequences. However, in this case all the consequences of the minister's failings, the government's twisted priorities and mismanagement are suffered by innocent and vulnerable children.

Despite its rhetoric about looking after children's futures, fundamentally the government has no commitment to children. We need only look at what is happening in kindergartens, schools, early intervention programs and the maternal and child health system. The government is destroying what was an excellent system; it is letting it crumble in front of our eyes. The child protection system is an absolute disaster and any children's service will be now found to be worse off.

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I turn to comment on a few points made by the minister. In his response on the report of the Children's Welfare Association of Victoria, the minister referred to resources and the \$9.4 million he announced in May, but did not mention that it was part of the \$11.4 million he announced in December. He used that as an excuse and said that he has fixed the problem.

The minister also referred to the Community Support Fund. Yesterday's budget papers comment on fewer than expected approvals and underspending of \$25.9 million — money that could have gone toward protecting our children. It could have gone to agencies that provide services aimed at preventing child abuse in the first place or to follow-up services for those who have suffered abuse, such as therapeutic services. Instead, \$25.9 million that would have made an enormous difference to the child protection system has not been used — it has been wasted.

What have child protection agencies said about the Community Support Fund? The CWAV draft report to the Auditor-General states:

Agencies have not been able to access revenue from the Victorian Community Support Fund which was advertised early in 1994 as being available to assist families in crisis. The current funding round for the VCSF is not tied to services relating to mandatory reporting.

The CWAV wanted the money; it submitted an application for the money but it did not get it. Some \$25.9 million has been underspent. It is disgraceful and negligent of the government to leave that sort of money sitting around when child protection agencies have submitted applications for and could use the money but are not getting it. The record of the government on child protection is one of disastrous failure. The government first proposed —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The honourable member for Bundoora will speak through the Chair and will not invite interjection.

Ms GARBUTT — I ask for a retraction of the comment 'You are to blame'. That scurrilous comment is unparliamentary.

The DEPUTY SPEAKER — Order! The Chair has been requested to ask that the comment, 'You are to

blame', be withdrawn. I did not hear the full interjection the honourable member has objected to and she has not named the member who made the comment.

Ms GARBUTT — Government members are all out of their seats, but it was the honourable member for Mornington who made the comment.

The DEPUTY SPEAKER — Order! Will the honourable member for Mornington please return to his seat and withdraw his comment?

Mr Cooper — In deference to you, Mr Deputy Speaker, I withdraw.

Ms GARBUTT — The government opposed mandatory reporting when it was first demanded by Mr Justice Fogarty, the *Herald Sun* and the public in response to the Daniel Valerio case, but, thankfully, the minister did a backflip. However, that lack of commitment has followed through and is still evident in the lack of funding, in the minister's inadequate management of the system and in his denial of all problems.

The minister's first response on introducing mandatory reporting was to cut funding to non-government agencies providing residential care facilities. Some \$7.5 million was withdrawn at the same time as reports were going through the roof. The minister then tried to estimate the increase in the number of reports that would follow from reporting being made mandatory. His first estimate, given in a ministerial statement to the house, of an increase of 20 per cent was downgraded to 8 per cent when he realised it would involve some resourcing and rapidly back-pedalled. He announced the latter figure when he introduced the mandatory reporting legislation. The figures given by the minister can be found in *Hansard*. The change set the alarm bells ringing and signalled that the minister was not going to resource the system properly — and that was exactly the case. The minister has never adequately funded the increase.

The minister indicates the exact percentage increase in the number of notifications in a letter to the Youth Council of Victoria. In the letter he states that there has been a 75 per cent increase in the number of notifications in 1994 compared with 1992-93 — a 75 per cent increase in two years. That is the context in which we must view the minister's repeated promises and announcement in May of a funding increase of \$9.4 million. The percentage increase in the funding of child protection services is nowhere

near 75 per cent; that is why child protection workers are overloaded.

The minister has totally mismanaged the system. He has closed residential units. Today he again repeated the nonsense about 400 beds, yet the system was never funded according to the number of beds. Units were funded through support services and social workers who provided services for children. In the case of particularly difficult children not every bed was filled because a service could not be offered to everyone. Beds do not count. A choice was made to leave beds empty and to look after children by offering them services. That should be the government's priority, but it is not.

The minister's comments are an absolute nonsense and a distortion of what the system is about. Labor funded people to look after children, not beds.

The minister has covered up his failings by attacking his critics and removing Mr Justice Fogarty from ministerial inquiries into child deaths. There has been no ministerial inquiry into the deaths of children who died while in the care of the system. Instead, the minister has quietly put aside that procedure and opted for internal inquiries. That is absolutely consistent with the government's approach! When agencies speak out they are subject intimidation and threats of attack or sackings by the minister — they operate in a climate of fear. We saw what happened to Margaret Roberts, the former head of the CWAV.

A series of reports have detailed the disasters in the system. The latest report is the CWAV response to the Auditor-General. As revealed in the *Herald Sun*, it includes a catalogue of disasters. The minister says the report is eight months old, but groups working in the child protection field — working with abused children — confirm everything stated in the report.

Comments reported in the *Herald Sun* also make it plain that that is still the case. Dr Goddard of Monash University is reported as stating:

'We have concerns about child protection services at every level'.

Melbourne's Catholic Social Services is reported as stating that child protective services in Victoria are 'seriously under threat at this time'. Father Peter Norden is reported as stating:

'Many of these children are being referred to community agencies where there are simply no

vacancies available, because such services are stretched to the limit. It's like pointing out the holes in a dam wall without doing anything to stem the water flow'.

Those comments are current; nothing has changed. The horrifying reports about the failings of the system are still occurring despite the minister's claims. In a letter dated September 1995 the minister now confirms that he will not be mandating any other professionals — and this is the revealing comment — because of the assessment of the capacity of child protection services as a whole to absorb that demand. The minister has to assess whether the system will be able to absorb the demand, but the answer is, 'No, it will not be able to do it at this stage'. The current assessment is that the system cannot take any more!

We have been informed that the government intends to continue to close residential units and shift the whole system to foster care. It is proposed that 12 beds be closed in the northern suburbs. One 8-bed residential unit will be closed. The last time residential units were closed is best summarised by one of the children who lived in a unit in my electorate. In a letter to the Premier she states:

Your cuts have closed down my adolescent unit, a unit which has given me a secure lifestyle, has made me feel safe and taught me a lot of values and morals. These are some things I would not have acquired living on the street. I am asking you to somewhere find it in your heart to save our unit which consists of another three people in their junior years.

This was a handwritten note to the Premier asking him to hold off because her home was being closed. The girl was shifted to independent living and she is now on the streets. That is a consequence of this policy and it will happen again if the government keeps closing residential units and placing the children in foster care, which is already overloaded.

Mrs Henderson interjected.

Ms GARBUTT — You can't get foster care because it is stretched to the limit. It is overburdened. It cannot cope. What will happen is the sort of thing that was revealed by a survey undertaken by the Western Welfare Coalition, which found that children and adolescents are being moved from one care service to another. There are multiple placements, inappropriate placements and placement breakdowns. The study found that all those factors contribute to system abuse.

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It is ongoing and it is getting worse, but the minister is still denying it. The minister will not own up to the fact that he has totally mismanaged the system. He is not committed to the protection of our children. He will not provide the resources needed, he will not talk to the welfare organisations that are involved and he allows this situation to continue. He is not facing up to his responsibilities. He is being negligent with our most precious resource despite his rhetoric about putting children first. Children are not being put first. Any one of the government's mates is put first. Children are not a government priority. The Leader of the Opposition pointed out what needs to be done. The minister needs to face up to the problems and undertake the initiatives we have outlined.

Mr RYAN (Gippsland South) — We are debating a motion that is an absolute fabrication. I call upon the honourable member for Bundoora to produce the submission to which the motion refers. The motion says 'the government's failure to address the crisis in the child protection system as evidenced by the submission to the Auditor-General by the Children's Welfare Association of Victoria' but in her contribution the honourable member referred to a draft.

What does the CWAV say about the sort of commentary the opposition has brought into the house today? Its view is reflected in a letter read out in full by the minister during the course of his excellent address to the house. I will not read the entire body of the letter, which is dated 4 September, but its author, Carol Russell, who is the chief executive officer of the CWAV, wrote to the *Herald Sun* in response to an article by Mr Michael Pirrie not only pointing out that the situation had improved markedly since February when the comments were made but also saying:

The Children's Welfare Association of Victoria has a high investment in improving services to children and families and as such works hard with the health and community services to make sure our voice is heard in policy and funding. Taken out of context and placed on the front page of the newspaper you have all but destroyed our positive influence and taken us back to a situation where whatever we say will be seen as whingeing and negative.

That is what opposition members have achieved by moving this motion, and they talk about a disgraceful comment! They ought to be condemned! This morning when I responded on radio after the Leader of the Opposition had had his whinge about

Victoria's position in the light of the budget I said, 'Isn't it wonderful to hear him pontificating from the high moral ground about what this government has and has not done?'. What did that lot over there do on this issue during the 10 years it held the reins of this state? A big fat zero! The honourable member for Bundoora has come in here and supported her leader on an issue that she knows is fabricated. She knows because she was here during those 10 years. She was part of the government that did nothing. The pair of them are a pathetic disgrace!

I am sorry the Leader of the Opposition is leaving the house at this juncture. The debate is timely because on Sunday in Sale I moved a vote of thanks to a remarkable lady, Christina Noble, who has written and published a book called *Bridge across my Sorrows*. This extraordinary woman, who is of Irish extraction, works with street children in Ho Chi Minh City in Vietnam. She came to Australia as part of a fundraising drive to support the institution she has developed in that country, which was ravaged by war. She came to tell the 150 people at the luncheon about the work she is doing. This lady, who is about 50 years of age, told us about her upbringing in the streets of Dublin and the way she lived like a sewer rat in Phoenix Park in that city and in other parts of Ireland. Ultimately, in 1989 she went to Vietnam. She told us about the enormous success she has had in introducing medical clinics for the children of the ravaged Ho Chi Minh City. The people of Sale and the surrounding towns of Maffra and Rosedale have opened their hearts to Christina Noble, and a couple of functions in the area have raised approximately \$10 000 for her excellent work.

The point I make in the context of this motion is that, unfortunately and tragically, children battling to make their way in their respective communities is a phenomenon we see worldwide. I recently travelled with the parliamentary Law Reform Committee to America, Canada and England where we saw on the world stage the sorts of problems we are grappling with here. We are all, worldwide, doing our best in an effort to accommodate this awful problem for children. I am happy to say, as I have said in other forums on other issues, that the fundamental basis for the judgment of a government is the way it looks after the members of its community who are the most vulnerable, not only within the justice system, and particularly — to this extent I agree with the Leader of the Opposition — our children. They are entitled to dignity in life.

We are fortunate that we have a government that is providing that for our children. I speak in a parliamentary sense but also as a parent, and I will not have it said by those people over there that the government and I, as part of it, are not doing the right thing by these kids, because that is not correct. It is a scurrilous lie! The minster is the flag-bearer for the children. He is doing a magnificent job, in company with his department. They are working closely to achieve the outcomes we need. The true heroes are the child protection workers, who are magnificent people discharging their onerous responsibilities.

There is no perfect answer to this problem and there are many reasons for that. Without going into all of the issues, I point out that the principal reason is the intangible nature of why these things occur. One of the tragedies is that the professionals are called in after circumstances have occurred that warrant a report being made on abuse or maltreatment of a child. We are dealing with human frailties and issues that can destroy families. It is always difficult to know whether one should intervene in a family structure.

Honourable members interjecting.

Mr RYAN — I hear the interjections from members opposite. For more than two decades in my legal practice I have listened to the problems of parents and children. It is extremely hard to know how to handle these issues. I am appalled to hear interjections from members opposite suggesting there is a black-and-white approach, especially given that the former Labor government did nothing when it had the opportunity.

It galls me, every member on this side of the house, the people of Victoria and particularly the kids themselves to hear the sorts of comments that have been made today. Look at what is happening: the government is spending about \$120 million protecting unfortunate children who are vulnerable for all the reasons that have been outlined.

Approximately \$45 million is being spent on child protection and about \$75 million is being spent on placements. On 3 November 1993 the government introduced mandatory reporting. The honourable member for Bundoora, as a member of the former Labor government, did nothing for years. The Labor Party would not do anything, but a coalition government did it within 12 months of being elected to government. On 18 July 1994 the government expanded the terms of mandatory reporting to include teachers and other health professionals.

These issues are constantly under review to ascertain whether the service can be improved.

Today there are about 110 notifications a day. In 1992-93 there were 19 000; in 1993-94 there were 26 000 and in 1994-95 there were 31 000. The Daniel Valerio case was a tragedy that received considerable publicity. After that, the government received not only mandatory reports from people who are mandated but also reports from people at large who followed that awful tragedy in the newspaper reports.

The child protection service that supports mandatory reporting initially had funding of \$1.8 million. I make this concession — if that is how it is to be termed — that the problem was of a dimension that the government may not have anticipated at the outset, but it reacted positively. Over the succeeding years the government provided an extra \$19.3 million to look after the children and deal with those tragedies. Victoria now has 3367 beds available on any one night for children who are the subject of maltreatment or abuse. The beds are available for respite, short-term and long-term accommodation.

Victoria has 663 child protection workers. I have spoken about the fantastic work that these true heroes do and I am sure I have the agreement of members of the opposition in saying they do wonderful work. I have heard complaints about the case load that child protection workers have to carry. I understand they are comparable with that of other workers throughout Australia. Certainly they may have to deal with up to 12 cases at any point in time, but I know from my experience as a solicitor that the cases vary in degree from the severe to the not-so severe. The officers in the field have focused on the people in need and have distilled from the reports the veracity or otherwise of statements to determine whether they should intervene in a particular crisis. They are focusing on the specific areas of need.

An important initiative is to keep families together to ensure that children are in their proper environment, because the best environment is the family home, if it is a safe environment. The government responded to Mr Justice Fogarty's 1993 report and took initiatives to deal with the problem. It is an extremely difficult judgment to make: whether the state should intervene in what is essentially a family situation. It is all very well to refer to the Daniel Valerio case, but that tragedy is the extreme. Very often you have a situation where a

judgment has to be made whether one should intervene. It is a fragile situation for all concerned and is one that has to be handled with compassion. That is precisely what child protection workers are doing.

I come back to the point I made earlier: the Labor government had the opportunity to grapple with this problem during its term, but it did nothing. The coalition government has increased funding in this area, but throwing buckets of money at the problem does not advance the situation in itself. The government has made an assessment of the service delivery. The outcomes have been clarified by the nature of the service delivery. The government has done considerable work to ensure we get the best outcome.

Children are entitled to the dignity of life, and they are entitled to be properly fed, clothed, housed, and educated. And, as I said last Sunday when giving a vote of thanks to Christina Noble, they are entitled to hope and the aspirations we all enjoy or enjoyed as young people. That is a fundamental entitlement for all people, and the Minister for Community Services is committed to that task. He represents a government committed to that task. It ill behoves the Labor Party to move an adjournment motion when it did nothing in government. It is a fabricated case that is denied by the very organisation upon which the motion is based.

Mr LONEY (Geelong North) — I am disappointed with the contribution of the honourable member for Gippsland South, and I normally enjoy his contributions. His contribution today was characterised by a great deal of passion but little substance. He demonstrates a head-in-the-sand approach to what is occurring. His argument that the inadequacies of the government in child protection is a fabrication is a clear indication of his head-in-the-sand approach. It ill behoves any member of the government to take that stance on this crucial issue.

At the outset, I refer to the letter written by the Children's Welfare Association of Victoria dated 4 September 1995 to the editor of the *Herald Sun*, Steve Harris. The Minister for Community Services and the honourable member for Gippsland South rely particularly on the statement that it has destroyed the association's positive influence on the government. The letter clearly implies that the Children's Welfare Association of Victoria is afraid of the reaction of the government to its criticism, and it is a realistic fear. We have seen what has

happened to any number of bodies that have dared to criticise the government, and the CWAV fears that it may be next on the list.

The question arising from the letter is: will the minister give an unequivocal assurance to the CWAV that it will in no way be attacked either through funding or any other mechanism? Because that has been the practice of the government in every instance of previous criticism of its policies.

The measure of any government is the way it treats those in society who are least able to fend for themselves. That is clearly recognised by both parties. Unfortunately the government has lowered standards of human decency in the way it has attacked the delivery of every human service across the state, and nowhere is that more obvious than in the area of child protection.

Immediately after coming to office the government slashed funds. Numerous reports and inquiries since that time have caused the alarm bells to ring — not just reports from the CWAV but reports from the Parliament's own Crime Prevention Committee and from Justices Fogarty and Nicholson. But it is typical of the government and its approach that not one voice has been listened to. The government's attitude is to launch a counterattack rather than to listen. It is very sensitive to criticism. Even worse, not only does it not listen to criticism, it does not listen to anything; when these important issues are raised the government turns its back.

The Fogarty report was concise in its criticism of government policy on child protection. In particular, it levelled criticism at the \$7.4 million in cuts to non-government child welfare agencies. Mr Justice Fogarty said in his report that this would devastate the private sector and leave Victoria without a viable, fully embracing, quality service of child protection.

What was the response of the government to those very serious concerns raised by a senior member of the judiciary with long-standing experience in child protection? It attacked Mr Justice Fogarty rather than listening to what he had to say. His comments regarding adolescents should be of deep concern to the whole community, but unfortunately they go unheeded. He stated that adolescents are at the end of the child protection system and that as the squeeze is applied to resources for children in child protection, adolescents suffer to an even greater degree. The government has been callous in its approach to protection for children but can

legitimately be charged with negligence in relation to adolescents. The end result of our failing to look after adolescents is human suffering and tragedy.

Earlier this year, while attending a conference in Sydney, I met with children who had spent long periods as wards of the state. They spoke of the common experience of the inadequacy of the system in giving them stability, and how they were shunted from one place to another. It was quite common for children to have six or eight placements in about the same number of years or less as they were dragged from one place to another. One thing that stuck in my mind was a statistic mentioned by the former Human Rights Commissioner, Mr Brian Burdekin. He stated that every male prostitute working on the wall at Darlinghurst was or had been a ward of the state. I suggest anyone who does not consider that a disturbing statistic is disturbed by nothing. And if it is not considered an indication of a failure in the system then we also have a great inability to comprehend.

The government's treatment of adolescents has been even worse than its treatment of children: it has defunded advocacy services for adolescents. The Youth Accommodation Coalition is the major organisation that has spoken out on the particular need for crisis accommodation for young adolescents, yet it has been defunded. If one were to take heed of comments from the other side of the house, it has been defunded quite happily. The Victorian Youth Information Network is another defunded organisation. One of the results for adolescents is that as the system fails them and they come into contact with the police and the legal system, more and more end up in gaols and institutions. Despite that, the government has defunded the Fitzroy Legal Service's *Alphaline*, one of the services that was working in the gaols and other places where children are taken into custody.

The government has continually ignored reports about the inadequacy of emergency beds for young people. Reports from the Youth Accommodation Coalition earlier this year said that the best situation in Melbourne was a runaway rate of 50 per cent. In some parts of Melbourne — namely, Dandenong — a runaway rate of 90 per cent applied. Despite that the government continues to pursue a policy of not funding beds. The *Street Kids* program took more than two years to put in place. In the first two years the tiny amount of \$132 000 was spent. That is the priority this government places on looking after young people. It has defunded programs that specifically target young adolescents at risk, such as

the Westcourt program in Geelong that deals with 13, 14 and 15-year-olds. That is the only program in the area that deals with adolescents and yet the government has defunded it.

In all this there is a warning to the people of the northern suburbs currently facing the loss of services. This government continues to do nothing about the hundreds of adolescents who have dropped out of the education system as a result of the loss of student welfare services and the failure to follow up cases because of the loss of truancy officers. It has failed to respond in any way to the McKenzie Chamberlain report that details levels of homelessness among secondary students in some parts of Melbourne as being among the highest in Australia.

Yesterday, the budget papers showed that the government has reduced funds for the youth affairs grant program. As Mr Justice Fogarty said, the government has virtually abandoned its responsibility to adolescents in this state while at the same time it provides unlimited funding to support the lifestyles of the rich and famous and unlimited underwriting of a grand prix, and provides anything at all for a casino. What did Mr Justice Fogarty say about that? As reported in the *Age* of 10 August 1995 he stated:

The state government and its departments have shown great energy in areas such as the grand prix, the ever-expanding casino ... and any amount of money has been made available to achieve these changes.

He went on to say:

Increased gambling opportunities lead directly to increased child neglect. Yet the former is being actively encouraged while little is done to counter the inevitable problems.

The government stands guilty of neglecting adolescents in this state, and the cost of that neglect in human terms is horrendous. It manifests itself in substance abuse, child prostitution and youth suicide, and what a tragic waste of young people each of those things are.

This government is like Pete McNeeley, the boxer who recently took on Mike Tyson. He lasted 89 seconds in the ring before the towel was thrown in, but he continues to talk the talk and walk the walk. The government may be talking the talk but it certainly is not walking the walk with the adolescents of this state.

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Mr MAUGHAN (Rodney) — I am pleased to contribute to the debate and to defend the government's record on child protection. I have listened to the contribution from opposition members and I cannot help but comment on their hypocrisy when they are the prime cause of the current problem. They are blaming this government for the lack of resources when, as the minister has pointed out, it has increased resources from \$30 million as it was under the Labor government to \$45 million as it is today. When considering the causes of the massive explosion in child abuse not just in Victoria but around Australia you have to ask yourself what unemployment has to do with it? I feel strongly — and the evidence supports this point — that unemployment certainly exacerbates the sorts of problems we are talking about today.

We can argue that the financial irresponsibility of our predecessors in government involving the State Bank, the VEDC, Tricontinental and Pyramid left the state in the parlous position of having a huge current account deficit. The consequence of that, which our friends in opposition never acknowledge, is that more and more of our available resources simply go towards paying the interest on the massive legacy of debt left behind by the former government. This government is getting the basics right by dealing with the economic issues and the problems so that we can provide more resources for those people we are talking about today and others who are underprivileged. I can sum it up no better than by referring to the Treasurer's statement yesterday, and this bears repeating:

Development of a more economically prosperous Victoria does not of itself guarantee a decent, secure life for all Victorians in a cohesive community. What is certain, though, —

and I stress this —

is that an impoverished Victoria —

that is the way Victoria was left by our predecessors, who are now weeping crocodile tears about what has happened and blaming this government —

with excessive tax burdens imposed to meet the costs of crippling debts —

that were left by our predecessors —

cannot be a kinder, more supportive, more civilised community ...

There is no question that all members of this house want that. Members of both the opposition and the government certainly want a more supportive, kinder, more civilised community. It is only through encouragement of productive enterprise in our state that the resources will be available to improve the conditions of less advantaged citizens, particularly those whose circumstances mean that they are dependent on the community for support. What more deserving group is there than the children we have been talking about in the debate today?

As previous speakers have already indicated, child abuse and neglect came to the surface with the tragic death of Daniel Valerio. Without apportioning blame, we need to ask ourselves why Daniel Valerio died and what procedures were in place to deal with that situation. Members of the community and of the opposition cannot in all conscience blame this government for the death of Daniel Valerio. To its credit the government has responded to child abuse by introducing mandatory child reporting and providing the resources to deal with abuse. Mandatory reporting was introduced in November 1993 along with an initial \$1.8 million in resources. It is not enough, and we all would agree with that. However, one must bear in mind the difficult budget situation the government was in at the time. It has increased resources over time and has put an additional \$19 million into this area when the budget situation in other areas is extremely difficult and when funding has been significantly cut.

When mandatory reporting was introduced in November 1993 for doctors, nurses and police and in January 1994 for other professionals an initial \$1.8 million of funding was provided. In July 1994 teachers and school principals were also mandated. We have all been surprised at the significant increase in reporting, and one could argue about the reason. Is there more abuse going on out there, are we just more aware of it, or is the increase due to mandatory reporting? I believe it is all of those issues.

Reporting rates have risen significantly: 19 000 in 1992-93; 26 000 in 1993-94; 31 000 in 1994-95; and an estimated 34 000 in the current year. However, there are signs that it is starting to plateau and drop off. We should be grateful that so many cases are being reported, and reported early, so that they can be investigated. Approximately 50 per cent of all reported cases are investigated. It means that as a community we can identify abuse and neglect problems, deal with them at an early stage and try to prevent the very outcome instanced by the

honourable member for Geelong North, who has now left the chamber — that is, children who have been abused either abusing their own children or finishing up as male prostitutes on the streets of Sydney.

If we are to resolve the problems — and I believe all honourable members would like the government to deal with the causes rather than the symptoms — we need to identify them at an early stage, put in the resources and do something about protecting those very vulnerable children. As previous speakers on this side have said, the government and the minister have provided those resources by continually putting more money into child protection services. A total of \$120 million has been provided for protection and support, with \$45 million going to child protection alone.

It bears pointing out that funding has been provided to employ the 653 child protection workers now working in the state. As previous speakers have said — in particular, the honourable member for Gippsland South — those workers are a highly qualified and dedicated group, and it has taken some time to recruit them. We need to acknowledge that those child protection workers are now far more secure than they previously were and that their drop-off rate is much lower than that of their predecessors. They still do not remain for long enough, the average length of stay being only two and a half years, but the situation is improving. Like the honourable member for Gippsland South, I take my hat off to all those who work in the difficult area of child protection. My own daughter worked for CSV as a child protection officer and is now working in the same area in another state, so I have a personal interest in the issue.

Under this government the number of beds for children who need support and protection has increased by about 242 — more than under the previous government. As the minister pointed out, under Labor about 400 of the 3000-odd beds in the system were not used on any one night. But Labor did nothing to use its funding more efficiently or to provide a better service by ensuring that the problems were identified and the beds were used. It looked after its union mates in the industry rather than focusing, as the minister and the government have done, on the needs of children. We constantly need to remind ourselves that it is children's needs that we should be concerned about.

I reiterate that under this government funding has increased by \$19 million to about \$45 million. There

has been a significant increase not only in funding but in staff, and the child protection system is now doing a much better job than was the case under our predecessors. It is hypocritical for opposition members to criticise the government when they themselves have a lot to answer for in this area. At present 3367 beds are available for child protection and support, which I think says a great deal about our society. We need to look at the causes instead of dealing with the symptoms. This government is doing something about at least one of the causes — that is, high unemployment and the social problems that flow from it. Unfortunately, the stresses and strains that unemployment places on families all too frequently lead to the abuse of the most vulnerable members of our community — our children.

Notifications have increased significantly, which we should welcome. The community is now far more aware of the importance of dealing with the insidious problems of child neglect and abuse. Not only the mandated professions — the police, the doctors and the teachers — but members of the community are reporting child abuse. On the one hand notifications have increased significantly; on the other, the increase is starting to plateau. It bears pointing out that in 1994-95 49 per cent of notifications were investigated. That amounted to more than 15 000 cases, approximately 92 per cent of which were investigated within seven days. The claptrap we read in the press about long delays in investigations is simply not true. There will be the odd case, as there always has been. However, the figures show that despite being in a very difficult budgetary situation the government is performing extremely well in investigating reported cases of abuse.

In 1994-95 more than 7000 — approximately 47 per cent — of the investigations into the abuse and neglect of young children were substantiated. That is an appalling figure, one we should all be greatly ashamed of. It ill behoves the opposition to talk about the criticism by the Children's Welfare Association of Victoria contained in an article in the *Herald Sun* of 4 September when Carol Russell, the executive officer of the association, has made it plain in a letter to the editor-in-chief of the *Herald* and *Weekly Times* that the association dissociates itself from the whole thrust of the article. In her letter she uses the words 'unscrupulous and unethical', saying that the article had damaged the cooperative relationship between the government and the Children's Welfare Association. She said the article was mischievous. Most of the articles that we read in the papers are not objective; they concentrate on

isolated instances and on the spectacular — the things that most people like to read about — rather than on the facts.

I return to the point with which I started. Although the government is greatly concerned about the most vulnerable members of our community, it starts from the basis that in order to provide the necessary resources we need to generate wealth, and that means getting our economic problems under control. From the day it was elected the government has worked consistently to control the state's economic problems. In the excellent budget he introduced yesterday, the Treasurer emphasised that the government is continuing in that direction and that it will provide more resources for the very important area of child protection.

Mr MILDENHALL (Footscray) — One of the clearest indicators of the coalition's abject failure in this area of government administration is its falling for the old trick of trying to describe its inputs into the system as some sort of indicator of its commitment. Although it is certainly recognised by everybody else in the government and non-government service sectors, the minister seems not to understand that the primary means of assessing the success or otherwise of a service, of whether it is working, is to look at outcomes — that is, the effect it is having on the ground.

On any of those assessments child protection has been an unmitigated administration disaster. Reports keep flooding in that the system is in a continuous state of crisis and that it has completely failed to deliver the goods required to meet the expectations of the many concerned people in the community who have as their principal worry the welfare of young children and young people. This began with some of the early reports following the unanimous and bipartisan support for the introduction of mandatory reporting. The system started to creak and to show that it could not cope with the existing level of resources. At the first opportunity, Mr Justice Fogarty pointed out that the government's response of reducing expenditure in the child protection area by some \$7 million was totally inappropriate. It would have been obvious to anyone that when you measure some of your primary demand characteristics against the enormous increase in child abuse reports that you would need more resources or some other way of coping with the demands of a system under crisis.

The government's response all along has been characterised by too little action too late and by a

continuing series of reports that show it has failed every step of the way. The Fogarty report started it. Local and other reports on the western suburbs show how poor the government's performance has been in that area. The number of reports of child abuse in the western suburbs has risen from an average of 90 a month before mandatory reporting to an average monthly figure now of around 350. That is a 400 per cent rise. That growth has remained constant and that figure is now a permanent part of the demand characteristics for the service. You would have thought the most appropriate response to maintaining those cuts would be at least to meet the demand by providing adequate staffing for the increase in case load. But on each of those indicators the government has failed.

It is not as if these things are a flash in the pan. These reports have continued all the way through. Late last year one reputable local service for the western suburbs, St Anthony's Family Service, in combination with a number of other non-government agencies in the western suburbs, conducted a survey with the help of Victoria University of Technology students called 'Which bums? Which beds?'. It was a comprehensive study of how adequately the system was coping with this increased level of demand. The appalling statistics that came out were that only 26 per cent of child abuse referrals were able to be placed. Some 376 requests for care were met with 147 offers of placement and only 95 were able to be accepted. That represents the figure of 26 per cent. The reports following that maintain that level of performance.

This morning I was informed that at the Moonee Ponds office presently there are 70 child abuse cases that have not been allocated to protection workers. In that region the current figure is around 100 cases. Mr Justice Fogarty's original concerns about the crisis he pointed to in October 1993 when the government refused to release his report — he had to release it himself — continue unabated. The government's continual cover-up, its continual bandaid approach, has been totally unsuccessful and the crisis continues. The symptoms are there and they manifest themselves in all sorts of unusual ways: a system under stress, and the recent industrial disputation. One of the clearest signs of unhappy staff driven to breaking point is to look for a way of raising their complaint, to look at some way of expressing the discontent and distress they are under. Many intake workers in the western suburbs are straight out of university and have only three months' experience. They are sent straight into the front line of the most distressing, exacting and

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pressured work situation in the public sector today. The accepted recommendation for case loads for experienced workers in this situation, the ones we can be confident would be able to cope, is eight cases per worker. Many intake workers in the western suburbs handle more than 20 cases at a time, which is extraordinary. Those cases have been substantiated.

We know that there is a crisis; we know that children are at risk because they have been left without being allocated. The child protection workers who are allocated to them are carrying a case load that in many instances is well over double the accepted standard. The opposition despairs at their ability to carry out a proper and qualitative referral to other agencies or to find the appropriate solution to the problem of a child in crisis and to assist families experiencing extreme distress. Many experts in this field say family support is the key, that we ought to be working at ways of preventing crises and supporting families by keeping them together. But the government's record in this area makes it so difficult.

Many schools in my electorate have had staff cuts of around 30 per cent. Specialists assisting with integrating children who do not quite fit in, who have reading and associated academic difficulties, help to assimilate them into the school system and provide support for families and individuals. Those services are now being cut. I was amazed to hear the Minister for Education say yesterday that one of the government's initiatives will be reading recovery. The government cut it out three years ago and now it is re-introducing it as an initiative. The disappearance of those staff and those programs has taken its toll on this area of government administration.

One of the key agencies in my area deals with alcohol and drug abuse problems. It has a women's service and the only residential service for women addicts in Australia. The service also had a key linkage with child protection services. Recently when the department experienced a greater demand for male beds in this area, it told the drug and alcohol service to take the male patients and that the female patients would have to find somewhere else to go. Unfortunately there is nowhere else to go. This is the only agency in Australia providing that service. Many of the children who came to the attention of the agency were in an extremely distressed state and were suffering from abuse and stress. That is an example of yet another support service which has been pulled apart and which will

disappear. It is extremely distressing to hear of those instances.

Only this morning the opposition was advised that another residential agency in the western suburbs is to close. Some 12 months ago there was an enormous outcry in the western suburbs when St Joseph's and Buckland House were forced to close. It is inconceivable that the government's response to a 400 per cent increase in distress and social dysfunction and this level of alarm is to close the services. We should be expanding the services at the same rate as the demand is increasing so we can provide a proper outcome that meets the needs of the community. The government's response has been to shift the responsibility to the voluntary sector — to foster care and to agencies that do not exist! In the past local government carried the bulk of that coordination and work in the western suburbs. The larger councils are now downsizing by hundreds of people. Their services are in chaos. The support for foster care is disappearing at a time when the government seeks to rely on it more and more.

One of the worst symptoms of the way the government prioritises these services is in another area of my responsibility — the Children's Court. Honourable members have only to visit that court to observe the dramatic contrast in the priorities of the government and the opposition and to understand where the money actually goes. Truckloads of government money is going into the casino; there is no limit to the size to which the casino can grow or the amount of money the government's friends can make out of the casino. I contrast that with the facilities of the Children's Court and its miserable, distressed, overcrowded, malfunctioning system and the massive increase in child abuse cases. How does the government respond to that? It cuts the capital works budget of the Department of Justice by 60 per cent. Down at Nick's palace — the Magistrates Court — everything is all right. Some \$60 million has been spent there, but this year the capital works expenditure in the justice department has been cut by 60 per cent. The Children's Court will not get a look in.

That is another indicator of the government's failure to provide assistance for child protection. The government does not give a hoot about the downstream assistance required by these people. The courts are hopelessly inadequate to deal with the problems, and the services are hopelessly inadequate. The western suburbs are suffering in the most immediate sense. The government's priorities

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can clearly be seen by the levels of unallocated cases, the distress experienced by staff and the conditions of the Children's Court. It is yet another clear picture of what is happening under this government.

House divided on motion:

Ayes, 22

Baker, Mr	Loney, Mr
Batchelor, Mr	Marple, Ms
Bracks, Mr	Micallef, Mr
Brumby, Mr	Mildenhall, Mr
Carli, Mr (<i>Teller</i>)	Sandon, Mr
Cole, Mr	Seitz, Mr
Cunningham, Mr (<i>Teller</i>)	Sercombe, Mr
Garbutt, Ms	Sheehan, Mr
Haermeyer, Mr	Thomson, Mr
Hamilton, Mr	Vaughan, Dr
Leighton, Mr	Wilson, Mrs

Noes, 55

Ashley, Mr	Maughan, Mr
Bildstien, Mr	Napthine, Dr
Brown, Mr	Paterson, Mr
Clark, Mr	Perrin, Mr
Coleman, Mr	Perton, Mr
Cooper, Mr	Pescott, Mr
Davis, Mr	Peulich, Mrs
Dean, Dr	Phillips, Mr
Doyle, Mr	Plowman, Mr A.F.
Elder, Mr	Plowman, Mr S.J.
Elliott, Mrs	Reynolds, Mr
Finn, Mr (<i>Teller</i>)	Richardson, Mr
Hayward, Mr	Rowe, Mr
Henderson, Mrs	Ryan, Mr
Honeywood, Mr	Smith, Mr E.R.
Hyams, Mr	Smith, Mr I.W.
Jenkins, Mr	Spry, Mr
John, Mr	Steggall, Mr
Kilgour, Mr	Tanner, Mr
Leigh, Mr	Tehan, Mrs
Lupton, Mr	Thompson, Mr
McArthur, Mr	Traynor, Mr (<i>Teller</i>)
McGill, Mrs	Treasure, Mr
McGrath, Mr J.F.	Turner, Mr
McGrath, Mr W.D.	Wade, Mrs
McLellan, Mr	Weideman, Mr
Maclellan, Mr	Wells, Mr
McNamara, Mr	

Motion negatived.

Sitting suspended 1.02 p.m. until 2.04 p.m.

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The SPEAKER — Order! It is my pleasure to welcome to the gallery Mr Greg Cornwell, Speaker of the Australian Capital Territory Legislative Assembly.

Honourable Members — Hear, hear!

QUESTIONS WITHOUT NOTICE

Government departments: budget savings

Mr BRUMBY (Leader of the Opposition) — I refer the Premier to his comment last week that the government planned to reduce government spending by \$600 million and that it would do so without job losses. I refer also to the Treasurer's comment yesterday that it was likely there would be redundancies and job losses as a result of the spending cuts. Who is telling the truth in this regard? Is it the Premier, who says there will be no job losses, or is it the Treasurer, who says on television, 'Yes, there will be job losses and redundancies'?

Mr KENNETT (Premier) — As I said yesterday, I am surprised that after three months of rest the Leader of the Opposition comes here with such an ill-prepared set of questions, as he did yesterday. The Leader of the Opposition has no idea how government runs, which is understandable because he is a very slow learner.

As the Treasurer and I have said in recent days, we cannot guarantee that the numbers in the public service as of Friday or Monday or today will be exactly the same in a year's time. You might actually see growth in some departments; you might find a reduction with the introduction of new technology and new equipment. The Leader of the Opposition is absolutely hypocritical because on the one hand he asks the community and the government to reduce taxes but on the other hand, when we start to take a businesslike approach to doing so, he cries foul. Regardless of their earlier position the Leader of the Opposition and his colleagues are immediately opposed to everything the government does, but not to the policy that the Leader of the Opposition has announced, which is to legalise drugs further in this state.

Only two weeks ago we announced the go-ahead for the Docklands project in Victoria, a project which

the former Labor government started but could not get off the ground. Within 2 hours of the announcement of that \$2 billion project this man was opposing it. For two years he has been complaining about higher taxes and charges, but when we quite correctly tell the Victorian community that we will do something about it and provide new jobs, he cries foul. The only thing that is consistent about his leadership is not policies — because he has no consistent policies — but that he continues to fail to give leadership to his backbench or to the community as a whole.

French nuclear testing

Mr FINN (Tullamarine) — Will the Premier advise the house of the Victorian government's response to the announcement by the French government that a nuclear device was detonated at Mururoa Atoll at 7.30 a.m. today?

Mr KENNETT (Premier) — Like most Victorians, we became aware this morning that the French government had detonated a nuclear weapon under Mururoa at about 7.30 a.m. today. I think I speak on behalf of this Parliament and the Victorian community when I say that the Victorian government was outraged at the insensitivity of the French government in proceeding with the tests against universal opposition and across all party political lines. In the end one got the impression that it became a case of bloody-mindedness by the French President: that in the face of such quiet but concerned opposition he was committed to proceed with those tests just to be able to say he was never stood over.

Mr Haermeyer interjected.

Mr KENNETT — You are one of the most insensitive members of all! There would not be a Victorian community member who supports the tests, but you continue to represent the Labor Party insensitivities. The fact that you are totally out of touch —

Mr Haermeyer interjected.

The SPEAKER — Order! I ask the honourable member for Yan Yean to cease his interjections.

Mr KENNETT — The honourable member for Yan Yean represents the Labor Party in its true raw form. He is totally insensitive to one of the biggest issues in the community.

The Victorian government joins with the current federal government and federal opposition in opposing the tests and in an effort to persuade the French government to change its mind. President Chirac still has the opportunity to change his bloody-minded approach to the issue and to exhibit some form of statesmanship by calling off the rest of the tests. There is no need for the tests. The information secured by the French government in previous tests provides it with enough information. More importantly, the fact that the tests are still being held in 1995, in what is obviously a shrinking global environment as a result of advances in communications and so on, is totally out of touch with the expectations for a peaceful global environment. We are appalled!

When the French Ambassador came to Victoria, I met with him and told him face to face of the government's and the community's disagreement with the tests that were at that stage being planned. I was disappointed that the Leader of the Opposition failed to use the same occasion to make his point of view known and to give bipartisan support to the aspirations and fears of most Victorians. The Leader of the Opposition again wimped out: he failed to show leadership and simply cancelled the meeting. That is not what the community expects of its political leaders.

It is not good enough for the Leader of the Opposition to move a motion because when he had an opportunity to make a worthwhile protest he simply cancelled the meeting, ran and hid.

Business and Employment: staff reductions

Mr BRUMBY (Leader of the Opposition) — I refer the Premier to his comments last week that the government plans to reduce government spending by \$600 million and will do so without job losses. In those circumstances why has the Department of Business and Employment prepared a document entitled *Workforce Adjustment Strategies 1995-96 to 1997-98*, which proposes cutting the number of staff in that department from 1200 to 250 and which proposes that it be done through compulsory redundancies where necessary? There is the document.

Mr KENNETT (Premier) — The man is not even worth answering. He asks a question, offers the document and, as in everything else he does, withdraws. If he is serious about being the Leader of

the Opposition, he should put up or shut up! Until he does so, I will not answer.

Government departments: budget savings

Mr DOYLE (Malvern) — Has the Premier's attention been drawn to suggestions by various commentators and the Leader of the Opposition that further budget savings could be made by the government in some areas; if so, what is the government's view on these suggestions?

Mr KENNETT (Premier) — In the past 24 hours the Leader of the Opposition has mentioned a number of areas in which he thinks savings should be made. This afternoon I will take up one such suggestion. I believe that the Leader of the Opposition is reported in this morning's *Herald Sun* as suggesting we should cut back on overseas travel. Is that correct?

Mr Brumby interjected.

Mr KENNETT — You said overseas travel.

The SPEAKER — Order! Conversation across the table is disorderly.

Honourable members interjecting.

Mr KENNETT — He cannot remember. The Leader of the Opposition is reported in the *Herald Sun* today as saying we should cut back on overseas travel. As trustees of the public interest, government members will continue to go overseas when that advances the opportunities for ministers or members of Parliament to gain experience — that applies to members on both sides of the house, and members on both sides have used the break to do that; when that gives them the opportunity to form business relationships with companies or governments that will extend into the 21st century; when Victoria's overseas trade can be increased; or when new investment can be attracted to Australia and, importantly, Victoria. The government does not agree with the Leader of the Opposition. However, if there is waste in overseas travel, that should be cut out.

With my support, a number of members on both sides of the house have travelled widely over the past few months to make themselves better members of Parliament. The Leader of the Opposition himself wrote to me wanting to travel with his wife and Mr Hulls, who I think has been preselected as a Labor candidate. Magnanimous as I

am, I agreed to that trip because I thought the Leader of the Opposition would gain great experience — he certainly needs some help.

The Leader of the Opposition wrote to me asking, 'Can I please travel, but will you pay for it so it will not have to come out of my — that is, the Leader of the Opposition's — global budget?'. He wanted a special allocation. I even agreed to that because I thought that was right; maybe I shouldn't have. That trip was to cost \$55 000. Perhaps the Leader of the Opposition will now cut out his travel to put into practice what he is reported in the newspaper today as articulating.

I notice that today the honourable members for Mill Park, Richmond and Chelsea have left to travel overseas. We have had three months off and have been sitting for only two days yet they have already disappeared. I am not opposed to that but we will monitor carefully how effectively the Leader of the Opposition puts in place what he preaches. I put it to the Leader of the Opposition, given that he has three members absent from the Parliament today, that I expect him to cancel every opposition trip to back up his suggestions. He should cancel all his trips! He is reported in the paper this morning as complaining that the government should cut back on overseas travel. He should cut it back!

Honourable members interjecting.

The SPEAKER — Order! The level of interjection is too high. I ask that conversation across the table cease.

Mr KENNETT — The Leader of the Opposition asked me yesterday to cut back on expenditure in a number of areas he outlined. We will go through them one by one over the next three or four months, but this is the first area. Now he should live up to what he is suggesting. In the meantime, members on this side of the house will continue to provide good government to the people of this state.

Government departments: staff reductions

Mr BRUMBY (Leader of the Opposition) — I refer the Treasurer to the document on portfolio strategies and expenditure options prepared for the budget and expenditure review committee of cabinet by the Department of Business and Employment. How many other departments have prepared similar documents for the budget and expenditure review committee that also propose staff cuts and compulsory redundancies?

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Mr STOCKDALE (Treasurer) — I am not aware of any document such as that to which the Leader of the Opposition has referred, but, as the Premier and I have indicated frequently in discussion over the past week when this subject has been the matter of great attention, the government does not have any across-the-board overmanning reduction strategy, such as the strategy that was pursued predominantly in the first two years of the government's term of office. In that time, the government — it made absolutely no secret of the fact — had an across-the-board strategy of reducing the level of overmanning it inherited from the previous government. Centrally funded departure packages, both targeted and voluntary, were made available to departments on the condition that they delivered a 100 per cent saving in terms of budget outcome — the bottom line, as it were.

There is no such program. Nonetheless, it is always possible for departments to use natural attrition in the public sector work force by not replacing those who retire or resign and to improve their operating efficiency by means of new resources, a reallocation of tasks or re-engineering the process. There are countless examples across the budget sector, and indeed the non-budget sector, where large improvements in productivity have been made through the use of new technology and the re-engineering of the process. They do not have to look further than the autumn statement to see considerable discussion of an example in my own area of responsibility, the State Revenue Office.

The fact remains that the government does not have a central target of reducing the number of government employees in the budget sector. There is no target and no provision has been made for it. However, there are a series of initiatives designed to continue to improve the performance of the budget sector and to improve efficiency. We anticipate, as has been made abundantly clear — you don't like this answer, either?

Mr Brumby — On a point of order, Mr Speaker, on the question of relevance, I specifically asked the Treasurer to give the house the names of other departments that have submitted similar documents to the budget and expenditure review committee. What we want are the names of the departments that have submitted those documents.

The SPEAKER — Order! I adjudge the Treasurer to be in order.

Mr STOCKDALE — It would be useful if one member of the opposition were prepared to make a positive contribution to Victoria's future. All we hear is carping criticism about everything the government has done to rebuild from the mess we inherited from the Labor government. We are unwinding the so-called structured financing transactions, which the former government introduced for no purpose other than to circumvent Australian Loan Council restrictions. They are costing the taxpayers of Victoria hundreds of millions of dollars. There are some savings to be made, because in future years we will not have to keep doing that! There are savings to be made as a result of the government not repeating the mistakes of the former government.

We make no pretence about the fact that improvements in efficiencies — for example, the use of contracting out — may sometimes involve reductions in public sector employment. I made the point yesterday that there is a minor provision in the budget, which is transparent and clear-cut, for just such an eventuality. The former government had similar schemes, even when it was wasting billions of dollars, for large reductions in manpower. For example, in the SEC alone thousands of jobs were eliminated during the Labor Party's term of office with a massive improvement in labour productivity. However, the Labor government did not pass on the benefit to the consumers or the taxpayers; the former government used those savings in high spending and wasteful policies. Nonetheless, large reductions were made in public sector employment.

We do not have a central strategy of repeating the manpower reductions of our first two years in office, but I cannot guarantee that as the public sector managers strive to improve efficiency of service delivery we will maintain the present level of public sector employment. There is no magic. We have not miraculously in 1995 arrived at a perfect number of government employees. We are continuing to subject the whole of the Victorian government operation to scrutiny, with the object of improving service delivery — better services at a lower cost — and, unlike the Labor government, we are succeeding.

Education: government initiatives

Mr ROWE (Cranbourne) — Will the Minister for Education outline to the house the benefits for schools as a result of new government initiatives?

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Mr HAYWARD (Minister for Education) — I take this opportunity to congratulate the honourable member for Cranbourne on the fine work he is doing on behalf of the schools in his electorate. The honourable member represents an area that is experiencing some of the fastest growth in Australia. He is working well and closely with local schools to ensure that the parents and children are served well in education.

As I predicted yesterday, the budget contains good news for Victorian schools, including the schools in the honourable member's electorate. Schools' budgets will be increased by almost 5 per cent, which is approximately an extra \$90 million. It is a considerable amount of money and it is consistent with the government's commitment to giving every student in our schools the best chance for the future. In addition, in the current financial year more than \$40 million from asset sales will be ploughed back into school improvements. That is in addition to the considerable amount of money in the general capital budget for schools, for new schools, for major improvements and for maintenance. A record amount is being spent on school improvements in Victoria.

It is interesting that the federal government has ignored all the good things that are happening in Victorian schools, but that is because the federal government is interested only in electioneering. It is not interested in working collaboratively and cooperatively with the states to improve education. It is a disgrace! I am sure the house will be interested to know that according to the most recent data available expenditure per student in Victoria remains higher than the Australian average. The most recent data shows that Victorian teacher-student ratios are better than or at the Australian average. Following the cuts to the bureaucracy we have redirected funds to schools. So far as the Victorian education bureaucracy is concerned, I am proud to say that its proportion of total staff is the smallest in the country because we have redirected that money to schools.

Despite this good news the federal government and the unions refuse to acknowledge the tremendous efforts being made by our teachers. As I said yesterday, we have some of the best teachers in Australia and perhaps the world. The budget also contains good news so far as teachers' salaries are concerned. Contrary to union claims, 9000 teachers have now joined the professional recognition program — a bigger number than would be found in most Victorian firms. As from January next year

classroom teachers can gain salaries of \$51 700, which will be the highest in the country. Allowing for allowances paid to teachers under the professional recognition program, those at the top incremental scale in Victoria are the best paid in the country, so it is puzzling and hard to work out why trade union officials —

Honourable members interjecting.

The SPEAKER — Order! The Chair's patience is running out. The house will come to order and interjections will cease.

Mr HAYWARD — We have an opportunity for teachers to obtain salary increases that will make them among the highest paid in Australia. I cannot understand why trade union officials will not advise their members to join the professional recognition program. The fact is that, despite trade union opposition to it, 9000 teachers have joined the professional recognition program. The government remains committed to discussions with the unions and there have been ongoing discussions with officials from the Directorate of School Education over a period, but the unions have rejected the professional recognition program and have rejected our offer to have proper discussions about that program, even though it offers teachers a significant pay increase.

I repeat that I am proud of our teachers and encouraged by the fact that 9000 of them have joined the professional recognition program, despite the opposition of the trade unions to a program that is bringing enormous benefits to teachers and students throughout Victoria.

Former Minister for Finance

Mr HAERMAYER (Yan Yean) — In light of the comments made by the former Minister for Finance to the house on 12 May 1993 that the government had entered into new government car fleet arrangements that were 'already delivering savings', that 'further savings will be realised over future years' and that petrol cards had been previously 'rorted and abused by public servants', I ask the Premier whether he can confirm that the cost of the car supplied to Ms Harris by the former minister, as well as the cost of running that car, was not taken out of the former Minister's ministerial budget but was hidden within the departmental budget?

Mr KENNETT (Premier) — You can understand why the honourable member for Albert Park was

not asked to put the question and why the Leader of the Opposition did not have the courage to ask it himself — and we know that the Deputy Leader of the Opposition has already fled the country and the ALP. What a grubby little question it is!

We all understand the inference in the question asked by the honourable member for Yan Yean. That is something we in this place have come to accept, and it is the reason why he is not taken seriously either inside or outside Parliament. I will have to take the question on notice because I simply do not know who controls every one of the cars in the Victorian government fleet — although no doubt you expect me to.

Mr Haermeyer — interjected.

The SPEAKER — Order! The honourable member for Yan Yean has asked his question; he may not ask a supplementary one.

Mr KENNETT — I will have a look at the details and get back to the honourable member so I can quench his incredible thirst as quickly as possible!

Mental health achievement awards

Mr LUPTON (Knox) — Will the Minister inform the house of Victoria's performance in the fifth annual Australian and New Zealand mental health achievement awards, which were announced yesterday in New Zealand?

Mrs TEHAN (Minister for Health) — The awards to which the honourable member refers were made at the Mental Health Services Conference. They are provided annually across Australia and New Zealand and are funded by the federal Department of Health and Human Services and the New Zealand regional health authorities. Some 21 awards were made for best practice in mental health services across a range of programs, and Victoria gained 9 of the 21. In other words, more than a third of the outstanding achievement awards across Australia and New Zealand were won by programs in Victoria.

Professor Patrick McGorry of the Early Psychosis Prevention and Intervention Centre won a gold award for his outstanding contribution to psychiatric practice throughout Australia and New Zealand. It is a remarkable achievement and recognition of the work Patrick McGorry does with adolescents and young people in the early intervention of psychosis.

The honourable members for Bendigo East and Bendigo West will be pleased to know that the Bendigo and Regional Psychiatric Services Group won an award for overall excellence in service provision in a comprehensive catchment area, and the Bendigo psychiatric group will be delighted with its award. Similarly, the Monash Medical Centre won an award for its consultative liaison psychiatry, as did the Victorian Mental Illness Awareness Council.

Victoria's achievement in gaining 9 of the 21 awards for best practice shows that the innovative work started under this government is being recognised across this nation and throughout New Zealand. I am sure the house will join with me in congratulating all of the award winners in Victoria.

The SPEAKER — By agreement with the house the chair will be resumed at 4.30 this afternoon.

Sitting suspended 2.36 p.m. until 4.42 p.m.

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Dame Pattie Maie Menzies, GBE

Mr KENNETT (Premier) — I move:

That this house express its sincere sorrow at the death of Dame Pattie Maie Menzies, GBE, and places on record its acknowledgment of the outstanding service that she rendered to the people of Victoria and Australia.

I have moved this motion as a mark of respect on the day that the state and Australia have formally given thanks for the life of Dame Pattie Menzies. Despite not holding office Dame Pattie was undoubtedly one of the most influential figures in Australian public life this century. Her lifetime spanned that of the Australian nation. As I said on the notification of her passing, she was the grand lady of Australian politics and public life. She was a foundation of traditional Australian values and the source of enormous strength and continuity. She had fiercely held beliefs in her country, her family and the freedoms of democracy, beliefs that were fired by two world wars and the Depression. They gave her strength and were constant factors in her life, which was illuminated by an eternal hope in the future.

Dame Pattie Menzies was born on 2 March 1899 at Alexandra in north-eastern Victoria. She grew up in an atmosphere of politics and public debate. Her father, John William Leckie, served as the state

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member for Benambra for a brief term from 1913. He was elected to federal Parliament as the member for Indi in 1919. He served as a senator from 1935 to 1937, a period that included terms as Deputy Leader of the Opposition in the Senate and a minister in Robert Menzies's government at the commencement of the Second World War.

Robert and Pattie Menzies were married at the Kew Presbyterian Church in December 1920, and the couple had three children. Dame Pattie stood beside Sir Robert Menzies throughout his political career, the most remarkable in Australian history. Sir Robert's political career began in 1927 when he spoke out about preselection procedures in favour of young Nationalist candidates and against the old guard of that party. Of course, preselection methods are still being hotly debated by all sides of politics many years later.

Although the then Robert Menzies was defeated in a preselection contest for the state upper house seat of East Yarra in May 1928, the then member, George Swinburne, unfortunately passed away soon afterwards. Robert Menzies subsequently won the seat in October of that year, so his parliamentary life started in this Parliament in 1928. He was immediately appointed minister without portfolio, a position which carried cabinet status and from which he resigned in protest at the state's financial position. He then switched to the lower house, winning the seat of Nunawading in November 1929. He served as Attorney-General and Minister for Railways and was Deputy Leader of the United Australia Party until 1932, when he was appointed Acting Premier.

In 1934 Robert Menzies accepted the invitation of the then Prime Minister, Joseph Lyons, to stand for the federal seat of Kooyong, which he won in 1935. In April 1939 he was elected leader of the United Australia Party following the death of Joseph Lyons and began his first term as Prime Minister.

I have referred to Robert Menzies and his political service only to draw attention to the fact that in most cases those of us who serve in Parliament do so because we feel we have something to contribute. Our spouses, whether female or male, are not part of the decision-making process in the sense that they are not politicians, but they invariably get swept up in the emotion of the job, with its highs and lows. When you consider that Dame Pattie was born in 1899 into a political family and that her husband was elected to state Parliament in 1928, you realise the extent of her long period of service not only to

her husband and his political life but to the community, a period that has only now concluded. No-one has been involved in public and political life for so long based on the career of his or her spouse.

Dame Pattie was by Robert Menzies' side at the foundation of the Liberal Party at a conference in Albury in 1944. That was after he had already been Prime Minister and had resigned because his position had become untenable. His family had already been through the highs and lows of political life that I referred to a moment ago and had borne the brunt of political and public criticism that led to his resignation.

Regardless of our political persuasions today we look back fondly on Sir Robert Menzies as the father of Australian politics, seeing him as a statesman who walked the international stage. He was not always seen in that light because the early part of his career was very difficult. As spouse and mother Dame Pattie contributed greatly to his capacity to serve the community and ultimately the country, not just through her charitable work but through the work she did on many of Sir Robert's interstate and overseas trips.

During the latter half of the 1940s Dame Pattie was active in many auxiliary committees around Melbourne and country Victoria. She was elected as President of the Australian Womens Liberal Club in 1949, and in 1954 she was appointed Dame Grand Cross of the Order of the British Empire, the citation for which was true of her entire life. She was given the award:

In recognition of years of incessant and unselfish performance of public duty, in hospital work, in visiting, addressing and encouraging thousands of women in every state of Australia, including very remote areas, and in the distinguished representation of Australia on a number of occasions overseas.

She was the inspiration of the post-war housing program for pensioners. Sir Robert once related the origin of that measure, and I quote:

In 1954 over the dinner table at the Prime Minister's lodge my wife made a remark which took root in my mind. She said, 'I hear a lot of talk about rates of pension and so on, but do you know I believe the greatest social need for old people is they have a place of their own to live'.

The result was the Aged Persons Home Act.

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In her later years Dame Pattie was the symbol of everything good about traditional values of family life, our side of politics and of liberalism itself. She was an anchor to Australia's foundation and embodied the spirit that carried us into the post-war era of peace, reward and stability. However, we should remember her public service extended far beyond the 16-year period in which Sir Robert was Prime Minister. Her work began prior to the time Sir Robert took up service as a member of this Parliament and continued until her death last week.

She worked alongside her husband from the 1920s through a long and typical political career — that is, decades of demanding work in times in the wilderness as well as those in office. For a political spouse there is often a prophetic truth in the phrase that appears in the wedding vows: for better or for worse. Dame Pattie was able to exemplify all the very best of those vows in everything she did in both her private and public life.

There is no doubt that in her latter years clocking up a very large number of birthdays she became frail, but not in terms of her sharp mind or her inner strength. Her brightness shone through at all times. She would readily chide the rest of us if she saw us waver in our determination, but that chiding came from a most extraordinary life experience, a great depth of wisdom and the love of a mother.

Today we in this Parliament and Australians right around this great continent mourn and pay tribute to Dame Pattie Menzies and honour her contribution to Australia and the rest of the world. We reach for her spirit and we hold it as a living example for the future.

Mr BRUMBY (Leader of the Opposition) — I join with the Premier today in supporting the condolence motion before the house in expressing sorrow at the passing of Dame Pattie Menzies. Irrespective of one's political affiliation it is beyond dispute that Dame Pattie was a great Australian woman who enriched the lives of a great many Australians. At the thanksgiving service which has just concluded moving tributes were given referring to her extraordinary determination, her loyalty and her sense of duty.

For her service to the nation she was awarded the GBE in 1954. The citation has been read and circulated and states:

In recognition of years of incessant and unselfish performance of public duty, in hospital work, in

visiting, addressing and encouraging many thousands of women in every state of Australia, including very remote areas, and in the distinguished representation of Australia on a number of occasions.

As the Premier remarked in his comments, Dame Pattie's service to the nation extended well beyond the 16 years that she stood beside her husband when Robert Menzies was Prime Minister of this country. Her service to the nation was distinguished. A recent obituary in the *Australian* mentions some of the hardships she endured in those early days. The *Australian* remarks that before government cars were available in their present abundance the family car was used for various journeys and Dame Pattie was the chauffeur. The article also remarks that virtually throughout her life she had a reputation as an expert driver and kept driving until her very late years, contriving a full stretch upwards to get a full windscreen view.

I never met Dame Pattie Menzies but I do recall an occasion when I visited the federal ministerial offices at Treasury Place in the mid-1980s. I recall a car being driven ferociously around the corner, being parked immaculately, and a little head appearing above the windscreen. It was Dame Pattie, who jumped out in full height. She must have been in her mid-80s at that time; a diminutive figure but quite ferocious behind the steering wheel.

I mentioned before the GBE she was awarded in 1954. Perhaps less heralded was her work and support for hospitals, notably the Royal Children's Hospital, the Royal Women's Hospital, the Royal Melbourne Hospital and others.

As I have said, Dame Pattie Menzies played a significant role in Australian life and politics. Her passing and the recent passing of Fred Daly remind us all of the richness of Australia's political history and development. Students of politics, regardless of affiliation, will mourn her passing. To Dame Pattie's daughter and her many grandchildren I express on behalf of the Victorian Labor Party our condolences at the passing of a great Australian woman.

Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.

**COMPETITION POLICY REFORM
(VICTORIA) BILL***Introduction and first reading*

Mr KENNETT (Premier) introduced a bill to apply certain laws of the commonwealth relating to competition policy as laws of Victoria and for other purposes.

Read first time.

**PREVENTION OF CRUELTY TO
ANIMALS (AMENDMENT) BILL***Introduction and first reading*

Mr W. D. McGRATH (Minister for Agriculture) introduced a bill to amend the Prevention of Cruelty to Animals Act 1986 and for other purposes.

Read first time.

BUILDING (AMENDMENT) BILL*Introduction and first reading*

Mr MACLELLAN (Minister for Planning) introduced a bill to amend the Building Act 1993 and for other purposes.

Read first time.

HERITAGE BILL*Introduction and first reading*

Mr MACLELLAN (Minister for Planning) introduced a bill to provide a framework for heritage protection and conservation in Victoria, to repeal the Historic Buildings Act 1981 and the Historic Shipwrecks Act 1981 and to amend the Archaeological and Aboriginal Relics Preservation Act 1972 and other acts and for other purposes.

Read first time.

**LOCAL GOVERNMENT (ELECTIONS)
BILL***Introduction and first reading*

Mr MACLELLAN (Minister for Planning) — I move:

That I have leave to bring in a bill to amend the Local Government Act 1989 and for other purposes.

Mr BATCHELOR (Thomastown) — Can we have a brief explanation of the purpose of the bill?

Mr MACLELLAN (Minister for Planning) (*By leave*) — I am not in a position to give the honourable member the details; they will be revealed in the second-reading speech, which I anticipate will be given tomorrow. However, I will try to give the honourable member some information later today.

Motion agreed to.

Read first time.

Remaining business postponed on motion of Mr W. D. McGRATH (Minister for Agriculture).

ADJOURNMENT

Mr W. D. McGRATH (Minister for Agriculture) — I move:

That the house do now adjourn.

Legal profession: tribunals

Mr MILDENHALL (Footscray) — I direct to the attention of the Attorney-General the review of tribunals being conducted by Associate Professor Greg 'Rasputin' Craven. I ask the Attorney-General to assure the house that there will be consultation during the review process. The history of this government's administration means that judges are scared that a reorganisation of tribunals will see more of their number, such as those on the former Accident Compensation Tribunal, sacked, or dismissed without notice. Members of the legal profession in general and those associated with tribunals in particular are not confident that consultation will occur. It is not long ago that the *Four Corners* program aired allegations that the Attorney-General's office not only did not consult with the Director of Public Prosecutions about the reorganisation of his office but in fact lied to him about the intentions of that review.

The paper on the review of the legal profession that was rehashed and reissued today is another classic case of too little consultation too late. The consultation that was promised in the latter part of last year did not occur, and the same is true of the legislation that was promised in autumn this year.

But following sustained criticism from the legal profession and legal bodies in the first part of the year, the consultation paper has finally emerged, albeit in a rehashed form. I seek an assurance from the Attorney-General that the review will be carried out fairly, that there will be consultation and that we will not see a repeat of the 10-minute interviews for reappointment that led to discriminatory practices in tribunal appointments.

I also seek her assurance that the community will not be ambushed with more \$150 AAT filing fees, given that no notice was given and that there was no opportunity for consultation and input. The government's record in this area has been appalling, which is why we need a new approach.

The SPEAKER — Order! The honourable member's time has expired.

Speed limits: Macedon Street, Sunbury

Mr FINN (Tullamarine) — I raise a matter for the attention of the Minister for Public Transport representing the Minister for Roads and Ports in another place and ask him to request his colleague to give some consideration to changing the speed limit in Macedon Street, Sunbury during peak school periods. There are four schools in or in the vicinity of Macedon Street, causing traffic problems during the peak school periods from about 8.30 a.m. to 9.15 p.m. and from 3.00 p.m. to 4.00 p.m. Monday to Friday.

Our Lady of Mount Carmel School in Macedon Street has 281 students; Sunbury Primary School, 191 students; Salesian College, 819 students; and Sunbury Secondary College, 960 students.

I will paint a brief picture of what you see when you enter Sunbury from this situation. Having gone downhill past the magnificent Craiglee and Goonawarra wineries, one goes over Jacksons Creek. Immediately over Jacksons Creek is a hill, and on top of that hill is a school crossing. I have been told that school crossing supervisors have been scared witless by people who have built up enough speed to get up the hill and then been confronted with a school crossing. Most members would accept that when you are travelling at 70 kilometres an hour it is extremely difficult to come to a complete stop when confronted by somebody in a lollipop uniform.

I ask the minister to give some consideration to this important matter. It is an issue of extreme urgency for the safety of the students of those four schools,

and it is something that has to be acted upon immediately. I have already been approached by representatives of at least one of the schools in Macedon Street. I ask the minister to raise this issue with his colleague the Minister for Roads and Ports as a matter of urgency. I ask for the changes only during the peak school periods between 8.30 a.m. and 9.15 a.m. and between 3.00 p.m. and 4.00 p.m. This is a much-needed step to ensure that the young people of Sunbury are looked after in the way they should be because their safety is of primary importance.

City Link: Flemington Road flyover

Mr COLE (Melbourne) — I raise a matter for the attention of the Minister for Transport representing the Minister for Roads and Ports in another place. In particular I raise the matter of the Melbourne City Link project, specifically Western Link 1 from Flemington Road to Footscray Road. My request is that the minister act immediately to alter his plans for a flyover — dubbed the international gateway to Melbourne — from the area close to Debneys Park, and to replace it with a tunnel. I ask the minister to review the need for the road itself. I quote line 18 of a document put out by Vicroads — which should really be called Viclies:

An international gateway to Melbourne will be created. It will mark the north-western entrance to the City of Melbourne, will be situated on the Tullamarine Freeway, at the Flemington Road interchange. The gateway will celebrate the fact that Melbourne is the economic, technology and cultural capital of Australia.

If that is how we are to constitute everything that is good about Melbourne, we are in big trouble. Using a road as an indicator of how good we are technologically or economically is an absolute disgrace. It just shows we ain't got much left in Victoria these days. More importantly, line 19 says:

The gateway will lead into a spectacular sound absorbing elevated tunnel [that] will be erected near Debneys Park, not only satisfying the noise limit requirements of the area but providing a visually exciting structure. This will actually reduce the current noise levels for Debneys Park flat residents.

That is absolute nonsense, and the government knows it. The noise level is already prohibitively high from the Racecourse Road traffic and the flyover will make it worse. Not only that, it is only a few feet from the flats where some 4500 people live. The road noise from the anticipated structure will be

prohibitive and local residents will be faced with an ugly construction. We were given an undertaking by Vicroads that if the Western bypass were to be built a tunnel like the Domain tunnel would be put in rather than a dirty big bridge that would be a disaster for the people in that area.

I ask the government to reconsider the matter and to opt for the best option, which is a tunnel. This would do away with the ugly sight of a flyover and diminish the noise for the residents of the flats and surrounds. The only good thing that has happened down there is that since I last spoke on the Flemington Road issue a right-hand turn sign was put into Stubbs Street, and it is still there. It ought to be fixed up a bit, too, because it has been running a bit behind lately and it has been hard to get to work!

River Murray: levee banks

Mr JASPER (Murray Valley) — I raise for the attention of the Minister for Natural Resources action that needs to be taken in the west of my electorate, particularly on levee banks. Honourable members would be aware of the problems caused by major flooding in the Numurkah and Nathalia areas of the Shire of Moira in recent months, which has caused a great deal of consternation to residents of the area.

There is an urgent need for work to be done on the levee banks along the River Murray. The minister would be aware that the levee banks in the north of the new Shire of Moira along the River Murray are in a greatly deteriorated condition. The minister visited the former Shire of Cobram, now part of the new shire, and inspected the levee banks. Representations have been made to him on the work that should be done to restore the levee banks to a better condition so they can control and contain the occasional floodwaters of the River Murray.

Over a month ago I arranged a meeting in the northern area of the former Shire of Numurkah, now also part of the Shire of Moira, to discuss the deterioration in the levee bank system. More than 50 people attended this meeting, including representatives from the Shire of Moira, the Shire of Berrigan, Goulburn-Murray Water, the Murray-Darling Basin Commission and the Department of Conservation and Natural Resources. As a result of that excellent meeting we decided to inspect the levee bank system, and had extensive discussions on the appropriate action to be taken. All participants agreed that the levee bank system had deteriorated significantly from its former levels

and in the protection that it had provided to people in the northern area of the Shire of Moira.

I ask the minister to assure the house that he is aware of the situation and that he will be consulting the groups who were in attendance at the meeting, particularly the representatives of his department, who indicated that the matter would be addressed. They said when funds had been approved action would be taken to restore the levee banks to their former condition to provide appropriate protection for landowners and local residents. I ask the minister whether funds will be provided this financial year so that work can be undertaken to restore the levee banks along the Murray system in the Shire of Moira.

West Coburg drug and alcohol rehabilitation centre

Mr CARLI (Coburg) — I raise for the attention of the Minister for Health the funding of an important counselling service in the Coburg electorate. The West Coburg drug and alcohol rehabilitation centre risks closure in the near future unless it receives government funding. The counselling centre has been in the area since 1991. It has never received funding from any government source and basically has been kept alive by the joint initiative of the Pascoe Vale Uniting Church, the West Coburg Anglican Church, the Moreland Road Baptist Church and Moreland Hall, which provides drug and alcohol rehabilitation services.

The rehabilitation centre is a counselling service. It counsels primarily women who have been addicted to drugs, alcohol or, lately, gambling. Gambling is now proving to be the growing issue in this centre.

Since 1991 more than 700 cases have been handled by the centre, which is largely run by volunteers. It has reached the point where there is no funding. It needs \$40 000 this financial year to survive. I ask the minister to do what she can to save a major service at a time when the social problems this centre is trying to deal with are increasing — the problems of alcohol, drug use and addiction to gambling.

The centre has become renowned among counsellors of drug and alcohol addicts. The program there is innovative and has a grassroots approach. It has become a reference centre for not only the Coburg area but also for more distant suburbs. It provides a great service, particularly to female addicts. The service is regarded as top-rate. There has been difficulty in obtaining government funding — in fact, the centre has received no government funding

since its inception despite approaches to the state and federal governments.

I appeal to the minister to examine the request for funding by the centre. If funding is not provided the centre will close, leaving a hole in the counselling services available in the area. The social problems being tackled by personnel at the centre will not disappear; it is recognised that the incidence of gambling and its social consequences are increasing. I ask the minister to examine the possibility of funding that rehabilitation centre.

Agriculture: research and development

Mr BILDSTIEN (Mildura) — I direct to the urgent attention of the Minister for Agriculture my concern about investment in Victoria in research and development projects. According to the latest Australian Bureau of Statistics figures, Victoria leads Australia in investment in research and development. Victorian businesses spent more than \$1.1 billion on research and development in 1993-94 — about \$50 million more than was spent in New South Wales. That sort of investment will lead to jobs for Victorians.

I am concerned about proposals now before the federal government which could jeopardise the research and development effort in Victoria. At present the agriculture industry receives federal funding on a dollar-for-dollar basis with industry contributions. The Industry Commission has recommended that the federal government should contribute only \$1 for every \$4 contributed by the agriculture industry. If adopted, that recommendation would impact seriously on Victoria at a time when the state government is upgrading research and development investment.

In the past three years the Victorian government has invested more than \$50 million in research and development, and the \$22 million food and agriculture initiative announced last year by the Minister for Agriculture is expected to return \$235 million to the state economy.

The Industry Commission figures disclose that the return to the community from investment in research and development can be anywhere between 30 per cent and 90 per cent. Studies undertaken within the Department of Agriculture, Energy and Minerals have revealed that the returns on agricultural research and development projects can be anywhere between 10 per cent and 100 per cent.

I believe the value of investment in research and development is beyond challenge. We have a responsibility to promote investment in research and development to the community at large. I know the minister recently addressed a national agricultural research strategy meeting in Canberra about the Victorian government initiatives and commented on Victoria's research and development effort. The federal government must recognise that Australia has the world's most efficient agricultural producers, but the competitive nature of international trade leaves no room for us to be complacent. I hope the federal Minister for Primary Industries and Energy, Senator Collins, will reject the Industry Commission recommendations. What action will the minister take?

The SPEAKER — Order! The honourable member's time has expired.

CFA: restructure

Mr HAERMMEYER (Yan Yean) — I ask the Minister for Police and Emergency Services to inquire into the proposed restructure of the Country Fire Authority and advise what steps the authority is taking toward the achievement of common standards of fire cover, as recommended last year in a report of the Public Bodies Review Committee.

The CFA has on the table a restructure proposal known as 'Accepting the Challenge'. The author of the document setting out the proposal is KPMG, an organisation with absolutely no experience in operational firefighting and, I might add, the same organisation that audited the Tricontinental merchant bank. It seems the report is being implemented with indecent haste, despite the protestations of the CFA that it is only a discussion document. Many things seem to be happening quickly, yet discussions are supposedly still taking place. It seems to be a case of change for the sake of change.

The proposals affect manned CFA stations in the regional and provincial areas of Bendigo, Ballarat and Geelong in particular, and A1 stations — Eltham, Chelsea, Wodonga, Traralgon, Morwell, Warrnambool, Wangaratta and Mildura — are most immediately and acutely under threat. The capacity of those stations to respond to fires will be adversely affected. The proposals will ensure that A1 stations are no longer staffed around the clock — they will be unmanned between 6.00 p.m. and 8.00 a.m. — and will bring about a 60 per cent reduction in full-time staff at the stations. They will lead to

reduced fire protection and increased response times. There has been talk of a 10-minute response time as opposed to the CFA's current target of an 8-minute response time.

The CFA is the most efficient fire authority in Australia and the best volunteer authority in the world. However, the volunteers reject these changes. In a letter to the chairman of the CFA, the Victorian Rural Fire Brigades Association has made it clear that it feels these changes place too much pressure on volunteers, who feel they are being used in a cynical manner to do routine duties that should be done by full-time officers.

This is about change for the sake of change. Few savings are involved, but property and lives will be put at risk and the essential fabric that has kept the CFA together for many years is threatened.

Driver licences: demerit points

Mr THOMPSON (Sandringham) — I raise a matter for the attention of the Minister for Police and Emergency Services. Earlier this year a constituent of mine, Mrs Ruth Parry of Arranmore Avenue, Black Rock, received two traffic infringement notices. At the time of the offences the vehicle involved was not being driven by Mrs Parry but by her daughter-in-law, Zeer Parry, who lives on the Bellarine Peninsula.

Although I am assured by the honourable member for Bellarine that on the whole his constituents drive in a safe manner, Mrs Parry's daughter-in-law's forebears are originally from Holland and her daughter-in-law may well have earned the nickname 'the Flying Dutchwoman' when taking her son to kindergarten. Nevertheless, the fines for the infringements were paid and an accompanying statutory declaration was lodged. The statutory declaration was witnessed by a local pharmacist and a man of high repute, Mr Gerald Ettershank, corroborating that the necessary action was completed on time.

Some months elapsed before Mrs Parry received notice from Vicroads that she had accrued demerit points. When she contacted the Traffic Camera Office she was advised that the record could not be amended and that she could raise the matter only when she had accumulated 12 demerit points and was about to lose her licence. Mrs Parry has a distinguished driving record locally and seeks to have the demerit points removed from her driving record. I ask the Minister for Police and Emergency

Services to make inquiries to establish the situation beyond doubt. The traffic infringement penalty notice numbers are 35532162 and 35303765.

Fawkner Community Health Centre

Mr THOMSON (Pascoe Vale) — I ask the Minister for Industry Services to direct to the attention of the Minister for Health the threat to the Fawkner Community Health Centre because of local government amalgamations. Fawkner Community Health Centre was administered by Broadmeadows Community Health Services, but as a result of local government amalgamations responsibility for the centre has effectively been transferred to Brunswick Community Health Centres, which operates in the City of Moreland.

The Broadmeadows health service has said that because the Fawkner satellite, which was established 10 years ago to meet an important community need in Fawkner, is not within the boundaries of the new municipality of Hume it does not intend to continue to fund the Fawkner service, and it has served redundancy notices on the 12 or so staff, who have been doing a marvellous job at Fawkner, to take effect from 31 December. In the meantime Brunswick Community Health Centres says it does not have the money to meet the needs of the people of Fawkner, so that service is currently at great risk.

The Fawkner community strongly supports the continuation of the service, which is reflected by the thousands of petition signatures that have been collected in support of the service and by the attendance of more than 400 Fawkner people at a meeting I recently organised concerning this matter. It appears that the resolution of the issue lies with the government's ensuring that an appropriate transfer of funds is made from Broadmeadows Community Health Services to Brunswick Community Health Centres to enable that organisation to meet the community health responsibilities the government has thrust upon it as a result of local government amalgamations.

I seek an opportunity to take a deputation to the regional director of health and community services to pursue this issue on behalf of the Fawkner community. I urge the minister to investigate the matter to ensure that this community health service is not closed as a result of local government amalgamations. The City of Hume does not have the support of the local people because they were not consulted and they were not given an opportunity to vote for the local government area in which they

wished to live. They should not be disadvantaged by the loss of a service that has been of immense value to them over the past 10 years and may well be of considerable value to them in the years to come.

Little Bungalook Creek

Mr McARTHUR (Monbulk) — I direct to the attention of the Minister for Natural Resources the condition of the stretch of Little Bungalook Creek that runs through Kilsyth South, which I raised in this house earlier this year. At that time I described the dangerous condition of the creek and pointed out that a new subdivision was being developed in the area that was formerly an apple orchard.

The banks of the creek are very steep and are eroded — in some places there is an overhang where the erosion has gone in under the creek bank. Because young families are moving into the area there is the ever-present danger that a young child on the way to school or playing in the area could fall into the creek and hurt him or herself on the debris lying in the dry creek bed or be washed away if the creek is running after the heavy rain that from time to time falls in the Dandenongs.

After raising the matter earlier this year I was assured by the minister and Melbourne Water that action would be taken to repair that section of the creek bed. I have seen the plans Melbourne Water has prepared and I am happy with them. I am sure what is proposed will solve the problem. However, I visited the area on Wednesday last week and, although some work has been done — a very badly repaired culvert has been replaced and it is now much safer for children to get from one side of the creek to the other — there is still a good deal to be done on the creek banks and to clean up the debris in the creek bed. I seek an assurance from the minister that the work will proceed, and I ask him to outline the timetable for the rest of the work.

It is particularly important because it is now spring time. The weather is warming up and children in the area are more likely to be playing in the sun and to come to grief on those dangerous and steep creek banks. I seek an assurance from the minister that this plan will continue and that the people of Kilsyth South will be told when they can expect to see work start.

Responses

Mr W. D. McGrath (Minister for Agriculture) — The honourable member for Mildura

raised the possibility of the federal government cutting back its contributions to research and development funds for the agricultural and food industries, as recommended by the Industry Commission.

I had the opportunity of speaking to the national agricultural research strategy round table meeting in Canberra last week. Senator Bob Collins, the Minister for Primary Industries and Energy, was also at that meeting. In his presence I stressed the need for the government to reject the Industry Commission draft recommendations as they stand at this time. Since the 1970s it has been understood that the cost of research and development for food and agriculture has been shared between industry and the government on a dollar-for-dollar basis.

Victoria has maintained that position, which has added much to our R and D efforts. The honourable member for Mildura demonstrated that by showing that some \$2 million of new money has been made available under our agriculture and food initiative program for research and development and a number of industry programs are now up and running. Examples are a program to export premium meat to Asia, a better dairy produce program, a horticulture program, Wool 2000, sustainable development programs and a research program for the grain industry. An investment of about \$22 million could result in a return in agricultural productivity over a three-year period of about \$235 million. That is the sort of return provided for agricultural R and D expenditure over a long period.

In times gone by it was reported that every dollar invested for R and D returns at the rate of about 35 to 1. Not too many other industry sectors can get that sort of return. We have also been very much encouraged to see that the dairy industry has achieved productivity gains in excess of 3 per cent per year for the past 10 years, given that all other industry sectors are lucky to do much better than achieve a 1 per cent to 1.5 per cent increase in productivity.

I welcome the query by the honourable member for Mildura. I appeal to opposition members who have a respect for R and D to call on Senator Collins to ensure that the federal government does not heed the draft recommendations of the Industry Commission and reduce the federal contribution back to \$1 in every \$4. If that were to happen we would quickly lose our global competitiveness in agriculture and food production.

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Agriculture still constitutes around 38 per cent of the export earnings of this country. From time to time we should remember the value of agriculture to this nation. The only way we can keep at the forefront is to ensure that there is an appropriate allocation of funds to R and D on the basis of a dollar from industry and a dollar from government. If there were a lessening of the government's contribution, we would put ourselves at risk as an agricultural nation.

Mr BROWN (Minister for Public Transport) — The honourable member for Melbourne raised for my attention as the minister representing the Minister for Roads and Ports in this place the City Links project — the biggest infrastructure project in Victoria since the Snowy Mountains scheme. During the construction phase of the City Links project many new jobs will be created and much activity will be generated.

The honourable member made a number of requests in relation to the local road system. I know the Minister for Roads and Ports in another place is keen to have as much community support for the project as is possible, and on that basis he wants to accommodate sensible requests and address sensible concerns. I believe the honourable member puts forward his requests on that basis. I shall discuss those concerns with the minister to ensure that the genuine concerns of local residents, in this case the constituents of the honourable member for Melbourne, are addressed.

The honourable member for Tullamarine raised for my attention, again as the representative in this place of the Minister for Roads and Ports, his desire to have the speed restrictions in residential areas adjacent to the four schools he mentioned in Macedon Street, Sunbury, reduced from 70 kilometres an hour at certain times of the day, particularly when young children are going to or coming from school. In the judgment of the honourable member and his constituents, the speed limit is too high during those periods of the day when schools are open. The honourable member for Tullamarine is joined by the honourable member for Essendon. They are known locally in that part of the western suburbs as the dynamic duo! I am constantly inundated with representations from those two members.

I know the honourable member for Tullamarine has gained a reputation locally for being a strong and effective advocate of the causes that serve the interests and lifestyles of his constituents. I believe I

can speak on behalf of all ministers in relation to the constant representations they receive from the honourable member for Tullamarine. I know some of those representations are made on behalf of people outside his electorate — often people in neighbouring electorates that are supposedly served by Labor members of Parliament who, as was the case when they were in government, are more concerned about their seats in Parliament than they are about serving the interests of their constituents.

I understand many people come to the honourable members for Tullamarine and Essendon to get their concerns addressed. The workload of the honourable member for Tullamarine is far more than that of any other member of Parliament because he looks after not only the interests of his electorate efficiently and effectively but also the interests of people in other electorates. I know he will not turn away anyone in need. Accordingly, I am pleased to respond to yet another request by the honourable member. I know of his personal concern and compassion for schoolchildren and I know the representations he has made successfully on a range of issues, including public transport. I will ensure his request is passed on to the Minister for Roads and Ports and I shall ask the minister to treat this issue expeditiously.

Mr COLEMAN (Minister for Natural Resources) — The honourable member for Monbulk referred to Little Bungalook Creek. It was scarred badly because of development in the area, and Melbourne Water is responsible for the drainage responsibility and the maintenance of the creek. The honourable member raised the matter last session, and in the intervening time obviously a certain amount of work has been done to establish the position and sort out the remedy required. Work is imminent and will proceed.

The design work has been completed and some construction has already commenced. I assure the honourable member that as soon as possible, given current seasonal conditions, the work will continue, and that will relieve a problem of some significance. It has certainly been a major contributor to turbidity in the Dandenong Creek, and a proper drainage arrangement will lead to a much better outcome.

The honourable member for Murray Valley referred to the levee banks surrounding Cobram, another matter which has been an issue for some time and one which the honourable member has been a determined advocate on behalf of his community. The number of meetings that have been held about

the levee banks, if it had been converted into money terms, would have resulted in their being solved a long time ago! Nevertheless, the meetings have now drawn to a conclusion and there is agreement on a range of issues.

The first issue on which there is agreement is that the standard height of the levees in the Cobram area should be set at 600 millimetres above the fully confined event, and that in itself will provide a protection to Cobram that it has previously not enjoyed. The next item on which there is now agreement is the pump station and the drainage system pump which is currently outside the levee. It will be included in the levee and that will provide some protection to the pump station as well.

There are a number of other issues, particularly relating to Dicks levee, which is on the east side of the town. Dicks levee will be strengthened rather than raised. It will provide for a passage of water in the event of a major flood bigger than the 1975 flood. The levee will be strengthened, but it will act as a spillway under certain conditions. To enable that to occur levee banks will either be deleted from the existing proposal put on exhibition or will be moved to some other location. That will at long last be a resolution of the issues in respect of town levees around Cobram.

Associated with that problem, as the honourable member has indicated, are a range of levees which were previously the province of the former Public Works Department. Through the machinations of government that unit finished up with the housing department. Obviously maintenance of levees is obviously not its core business, and the matter will eventually be coming back to the Department of Conservation and Natural Resources as part of flood plain management.

The levees were previously under the administration of the former Public Works Department and are currently being inspected to ascertain any work that needs to be done on them. They will be brought up to the standard they were to cater for the 1975 flood. That in itself will give those people in the west side of town greater security in terms of flood protection.

There is also agreement that a regional flood strategy be developed. Funding for that has not yet been determined. It will require funding from New South Wales, Victoria and the commonwealth and work is currently ongoing to put in place a funding arrangement for the development of a regional

strategy for that area. That in itself will address some of the outstanding issues that have not been able to be resolved through consultation over the past 12 months.

I believe Cobram can be assured of better protection than it has enjoyed previously. A number of issues about which there was conjecture have now been resolved. I am sure the honourable member for Murray Valley will be there on the day the refurbished works are opened!

Mr PESCOTT (Minister for Industry Services) — The honourable member for Footscray raised for the attention of the Attorney-General the reorganisation of legal tribunals and made some comments about a consultation paper that he said was released today. I will pass on his comments to the Attorney-General, who will of course respond.

The honourable members for Coburg and Pascoe Vale both raised matters for the attention of the Minister for Health. The honourable member for Coburg referred to the West Coburg drug and alcohol rehabilitation centre, which was established in 1991, and urged the minister to support it. I will pass on those comments to the Minister for Health.

The honourable member for Pascoe Vale sought some intervention — I suppose that is the best way of putting it — in the transfer of funds between two community health centres. I will also pass on his comments to the minister.

The honourable member for Yan Yean expressed concern about the restructure of the CFA and asked me to raise the issue with the Minister for Police and Emergency Services, which I will. He said he is particularly concerned about common standards of fire cover once the restructure has been completed.

The honourable member for Sandringham raised for the attention of the Minister for Police and Emergency Services several traffic notices that were delivered to the daughter-in-law of the owner of a particular car. I congratulate him on his attention to detail and his ability to quote the various numbers of the infringement notices. I am sure they will be dutifully recorded in *Hansard* and shown to the minister, who I am sure will be able to assist the honourable member's constituent to avoid the embarrassment of losing her licence.

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Motion agreed to.

House adjourned 5.48 p.m.

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The SPEAKER (Hon. J. E. Delzoppo) took the chair at 10.05 a.m. and read the prayer.

Mr Leigh — On a point of order, Mr Speaker, I direct attention to what I regard as a serious matter concerning what appears in an article in the *Moorabbin Standard* of 6 September 1995.

I shall make a copy available to you, Mr Speaker. The article reports the honourable member for Springvale as saying:

... the present method was a 'kangaroo court' weighted heavily in favour of the government against the opposition.

'This has been the most partisan Parliament of any in my 12 years,' he said.

He did not like to see the Premier 'intimidating' the Speaker, and called for a 'more equal system for both parties'.

He concluded by saying:

During the ALP's time in government, the then opposition leader, Mr Kennett, 'only wanted to get thrown out'.

'We bent over backwards to accommodate him'.

I believe the honourable member for Springvale has cast aspersions on you, Sir, as the Speaker in this chamber. It is not a kangaroo court. In my opinion the honourable member for Springvale is in contempt of the Parliament because he is saying that you, Mr Speaker, effectively do the bidding of the Premier.

You, Mr Speaker, and I often have disagreements, but I would never accuse you of doing the bidding of the Premier. What action do you propose to take against a member who clearly describes the Parliament in this manner and casts aspersions on your Speakership in this chamber?

Mr Micallef — On the point of order, Mr Speaker — —

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Springvale, like any other member, has the right to speak on the point of order and be heard in silence.

Mr Micallef — Mr Speaker, my suggestion is that the honourable member for Mordialloc is drawing a long bow. I think he needs certifying, and I fully support that.

The SPEAKER — Order! If the honourable member for Mordialloc provides me with a copy of the article at the appropriate time I shall give consideration to the point of order and provide an answer in due course.

PETITIONS

The Clerk — I have received the following petitions for presentation to Parliament:

Paul Charles Denyer

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that upon the brutal murders of Elizabeth Ann Marie Stevens, Debra Ann Fream and of Natalie Jayne Russell the perpetrator, Paul Charles Denyer, was tried, convicted and sentenced to imprisonment for life, and the court found also Denyer showed no remorse or likelihood of rehabilitation, and that he would be a continuing danger to the community.

That on appeal he was granted a 30-year minimum term and that a subsequent application for rehearing to the High Court of Australia has been disallowed, and that your humble petitioners are in no doubt that Paul Charles Denyer, if ever released, will represent a severe threat to the people of Victoria.

Therefore we ask that the honourable members record your concerns also that Paul Charles Denyer should never be released during his lifetime.

And your petitioners, as in duty bound, will ever pray.

By Mr McLellan (240 signatures)

Paintball or skirmish games

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth their total opposition to any attempt by the government to prevent them from participating in the sport of paintball, also known as skirmish, either by banning the sport or not issuing Sunday shooting permits to legitimate paintball operators/clubs.

Your petitioners therefore pray that paintball or skirmish games shall not be banned in Victoria, that legal paintball operators/clubs be allowed to conduct games on Sundays and that holders of a current shooter's licence should continue to be allowed to own registered paintball markers.

And your petitioners, as in duty bound, will ever pray.

By Mr Finn (1156 signatures)

Laid on table.

BUSINESS OF THE HOUSE

Adjournment

Mr W. D. McGRATH (Minister for Agriculture) — I move:

That the house, at its rising, adjourn until Tuesday, 3 October.

Motion agreed to.

EXTRACTIVE INDUSTRIES DEVELOPMENT BILL

Government amendments circulated by Mr S. J. PLOWMAN (Minister for Energy and Minerals) pursuant to sessional orders.

Second reading

Debate resumed from 1 June; motion of Mr S. J. Plowman (Minister for Energy and Minerals).

Mr HAMILTON (Morwell) — The opposition will not oppose this bill but will move a reasoned amendment to it, for reasons which I will come to in a moment. Firstly, I thank the minister for the early notification of the amendments. The courtesy of allowing our shadow minister in another place to look at the amendments is appreciated, as is the advance notice. I am pleased that the minister agrees that courtesy costs nothing.

The Extractive Industries Development Bill repeals an old piece of legislation that has been the cause of concern, disagreement and dispute for the extractive industry, landowners and local government in particular, and certainly for governments of all persuasions since 1966. It would seem more appropriate for the Minister for Planning to be sitting at the table handling this bill because much of what has developed has become the prerogative of the Department of Planning and Development. That is appropriate because we are fundamentally talking about a major issue. In fact, by and large the products of the extractive industries are used in planning and development.

In May 1993, Governor in Council gave terms of reference to the Natural Resources and Environment Committee of the Parliament for inquiry into the extractive industries. The opposition believes the terms of reference for that committee were appropriate and important. I will run through the five points in the terms of reference briefly. The first was:

to establish options for ensuring the adequate protection of stone resources in Melbourne and metropolitan area.

That was and still is in many ways a major issue. Term of reference 2(a) reads:

From the information provided to the committee on the distribution of stone resources by type and quality throughout the region and from the projected growth in demand consider:

(a) the economic, social, environmental and other constraints likely to affect the development of new extractive industry options over the next 25 years, the next 50 years;

That reference is important because this was not a short-term projection. The committee was asked to inquire into the longer-term use of the stone and what was going to happen to the industry in general. Term of reference 2(b) reads:

the adequacy and appropriateness of buffer zones and other methods for protecting proven reserves and the implications on landowners of long-term zoning and sterilisation of their land for other uses;

That has been an ongoing issue in this industry ever since we started building roads. Term of reference 2(c) reads 'to consider':

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options to ensure protection of areas in which stone resources are only predicted or inferred on the basis of geological information and for which no demand can be immediately identified.

This was similar to what happened in the Latrobe Valley when the future use of the brown coal resource was examined and put into categories A, B and C. Category C was long-term uses that had to be considered over a long period. That was a wise move by the minister when he drafted the terms of reference to the committee. Term of reference 3 reads:

Utilising the information collected and work already completed by the previous committee, —

because this had been considered by a committee under the previous Labor government as well —

make recommendations which consider the previous committee's interim report and comments made thereon together with the supplementary report of the Whittlesea Planning Scheme Amendment L50 Panel prepared by Marshall Baillieu.

That in itself was a fairly important, if not notorious, case which had caused a deal of concern. Term of reference 4 reads:

Consider the adequacy of the Extractive Industries Act 1966 for the development and effective regulation of the industry.

That of course has resulted in the new bill and the Extractive Industries Act 1966 being repealed and replaced. Term of reference 5 reads:

Identify options and recommend a preferred course of action including legislative changes necessary to give effect to the recommendations.

That recommendation has been carried out by the government. Although there were some 36 recommendations in the NREC report not all of them have been agreed to by the government, but it is my understanding from reading the report and looking at the bill that all of them have been responded to and most of them have been accepted and acted upon, and some real progress has been made. It is a pity that the honourable member for Gisborne, the Minister for Sport, Recreation and Racing, is not in the chamber because he would remember the proposal for the establishment of a quarry in the Mount Macedon region that has been going on for as long as I have been in Parliament,

and probably a lot longer than that. That matter has been of great concern not only to industry in that area but also to the council. That development has been the subject of motions moved in this house, and it has been raised during adjournment debates.

Because of the history of opposition to the quarry development, a case which no doubt can be pleaded in many other inner and outer metropolitan areas where quarries have been established, I desire to move:

That all the words after 'That' be omitted with the view of inserting in place thereof the words 'this house refuses to read this bill a second time until the proposed regulatory framework is fully known, and that all local government areas have properly elected councils that can respond to the concerns of their residents'.

The opposition considers the reasoned amendment to be fundamental to the development of a sensible and proper plan to get the industry and the planning processes in order. There is no doubt that the bill puts much emphasis on planning, zoning and planning permits, which have been the traditional responsibility of local government.

Mr McArthur interjected.

Mr HAMILTON — The honourable member for Monbulk would be aware that councils have always taken their planning responsibilities very seriously.

Mr McArthur — Except for quarries.

Mr HAMILTON — Local government believes proper planning is important. Local councils in country regions are even more aware than those in the city of that importance; local government believes it should listen to its residents — that residents should have a say. While commissioners are in place in all but 2 of the 74 remaining municipalities in Victoria, it appears that the opportunity for the community to have a say through the democratic process is on hold, to put it in its nicest terms, in most cases until March 1997.

It is possible that long-term decisions could be made to grant or refuse to grant permits for quarry operations, with consequent major implications for local municipalities. Each decision has its own special impact on what will happen in the industry.

For example, if a permit for the Gisborne development were granted by commissioners who

are now responsible for the planning processes in that municipality, a quarry which has been strongly opposed by the local residents for many years may be established. The residents have almost taken to the streets in protest about that proposal.

There is no doubt that people in Gisborne and other municipalities will be well aware of the decisions being made in the absence of a democratically elected local council. The opposition feels strongly about that position, which is why I have moved the reasoned amendment.

By and large, the extractive industry in Victoria has had a chequered history. Indeed, in the early days quarries were created with what appeared to be abandon, and then abandoned. The opposition supports the aspect of the bill which requires that rehabilitation plans for disused quarries be established: all too often that aspect has not been considered. For example, my electorate contains the largest quarry in Victoria.

Mr Kilgour — A big hole in the ground!

Mr HAMILTON — When it operated, the SEC had a rehabilitation plan for the overburden dumps and for the open cut. The opposition supports that important legislative approach which I believe is being lent demonstrably bipartisan support: the bill virtually says, 'You can create a quarry, but when it reaches the end of its useful life you must have a proper rehabilitation plan'.

Mr McArthur interjected.

Mr HAMILTON — The honourable member may smile and interject, but I have no problem in giving credit where it is due. I do not believe that all wisdom resides on this side of the house; sometimes examples of wisdom are shown on the government side! We must be ready to support that approach.

It is important to recognise that one of the most important parts of the legislation is the requirement for not only a rehabilitation plan but a deposit or bond to be put forward to ensure that the rehabilitation process occurs. If for whatever reason the owners of a quarry do not proceed with the rehabilitation plan when the quarry reaches the end of its useful life, the government of the day will be able to use that bond money to ensure rehabilitation takes place. That is a good and progressive way to deal with what is an important part of the industry.

Quarries, by and large, have a strong impact on the landscape. By their very nature, quarries leave scars on the terrain; those scars must be properly repaired. There is no doubt that some of the rehabilitation plans used previously — for example, using old quarries for rubbish tips — have created subsequent problems in their own right, particularly with contamination of ground water. I know of disused sand quarries which have been filled with rubbish where all sorts of environmental problems have been created simply because a rehabilitation plan was not carefully considered. Perhaps the relevant environmental information was not well known at the time, but now we should use the latest scientific evidence to address the long-term environmental impacts that may flow from such a practice.

One aspect not included in the bill is the growing development in the recycling of quarry products. In the Latrobe Valley and, I understand, in Ballarat a couple of companies have started a recycling program where concrete, used stones, some roadmaking materials and waste materials from building sites, especially from the roadmaking industry, are crushed, recycled and reused. A company named Ecologia that operates near the Midland Highway in the Latrobe Valley has created a substantial and quite economically viable industry.

People have recognised the advantage of being green, of using recycled materials — although with roadmaking material it is probably brown ecology rather than green — and the attraction of constructing roads and pavements far more cheaply using recycled material than is possible by taking material from quarries. That process ought to be encouraged by the community and the government.

Vicroads has introduced a process where it uses a machine to strip the bitumen from the surface of a road and replace its foundations; then it recycles the bitumen. That commonsense process should be encouraged rather than dumping the bitumen because it is seen to have no further use.

I shall return to the bill. From general statements it is apparent there were some concerns over the use and ownership of stones and materials. Most quarries are on private land and are private developments, but there was community concern that stone materials on private properties could be used for roadmaking. I am pleased to acknowledge that that concern has been addressed, and the opposition thanks the government on behalf of the farming community and congratulates it on using commonsense on that issue. Farmers these days are

better educated and more aware than they were and will not create erosion problems on their farms by the unwise use of their own resources as part of the development of a quarry.

We believe the community to be more environmentally aware these days, and the Landcare programs, which are important throughout Victoria, have made people more conscious of the possibility of serious erosion problems if they do not quarry sensibly, even if the materials are for their own use. We make that important point because a proper understanding of erosion problems and the wise use of land has been developed. The bill places a great deal of responsibility on the planning process. The newly formed Department of Agriculture, Energy and Minerals is there to advise the planning department on how or whether an approval should be given. For more than 50 years the department of minerals in Victoria has historically been the authority with the expert officers able to give advice on these materials. The final decision is a planning decision, which we believe is right and proper.

The bill provides for the opportunity to appeal to the Administrative Appeals Tribunal, a process that has been fairly well used and understood in the development of the planning process and planning permits in Victoria. It seems to me that we have problems with AAT decisions only when the minister calls in a decision, which can be done for good reasons or poor ones, but the calling in of a decision can give rise to a great deal of concern. Ministers traditionally have used that power infrequently because they understand that it takes the decision out of the democratic and independent process and puts it into a ministerial process, with all the connotations that may or may not go with that.

Under the subheading 'Planning scheme amendments and permits' the minister's second-reading speech states that the intent of the bill is to enable the Minister for Planning to undertake planning scheme amendments to change a provision that prohibits the use of land for extractive industry. The bill is actually saying that where a local planning scheme prohibits extractive industry the Minister for Planning can overturn that provision. Most of us would see that as a reasonable power, but would hope not ever to have a Minister for Planning who would allow extractive industries to be established in the Fitzroy Gardens.

Dr Vaughan — They started off as a quarry; not a good example to use.

Mr HAMILTON — They did, too. The minister would be wise to use that power to overturn a prohibition in a local planning scheme only after a great deal of in-depth investigation and advice from all the professional officers available, as well as, I would hope, a serious consultative process with the communities affected by the overturning of the prohibition.

There are probably very few parts of the planning process that create more controversy and argument than quarrying. It attracts controversy — maybe it is the noise and dust. Most of us like good roads to drive on, but it is not possible to have good roads without good quarries. It is not hard to get an argument if you are going to establish a quarry, and you can gain a few brownie points if you decide to close one down. Perhaps there is some reasoning behind this: the Minister for Planning will take the flak rather than the Minister for Minerals and Energy.

The bill provides for the usual work authorities, which have worked very well. It has certainly been my experience that once the works approval for a project has been given there has been a fairly serious and in-depth investigation of environmental concerns, and the proponent of the project has a contractual obligation to ensure that the works proceed according to the works approval and that the holder of the licence takes all due care and responsibility. Once that approval has been given, the minister must grant the work authority so the quarry can commence.

The bill also empowers the minister, after consultation with the operator, to add, delete or vary the conditions of the authority. That sounds a warning to me, in that it would depend on the determination of the minister. He is not required to consult with the operator, but if we get to the stage where an operator does not agree it will be necessary for the minister to exercise his ministerial authority with a great deal of consideration and thought. By the same token, the bill also empowers the minister to revoke a work authority.

The responsibility of the ministers is spelt out in the bill, and it seems to me that that is an example of part of the Westminster system being reinforced, which is quite different from what has occurred with a number of other bills the government has put forward. Quite clearly the responsibility stops with the ministers, and that is right and proper. If there is a disastrous end effect, the buck stops with the ministers. I notice the Minister for Minerals and

Energy nod, and I thank him, because to me that is the way the Westminster system ought to proceed. Regardless of how far governments or ministers may want to distance themselves from final decisions, the buck stops with the responsible minister and it is the minister's head that rolls. That is right and proper.

From my reading of the bill — from this side it appears to be good but it may not be so good from the other side — it reinforces an important aspect of the Westminster system, for which I commend the government.

I have already mentioned rehabilitation and rehabilitation bonds. Given that quarries generally have a fairly lengthy life — 25, 30, 40 or 50 years perhaps — the wisdom of Solomon will be required to work out the size of the bonds. That will be a challenge to the economic rationalists. It will not be a bad effort if they can accurately predict what a dollar will be worth in 50 years. Let us hope that for once in their life they can get something right and estimate the size of the bond appropriately.

The bill provides that any residual debt due to the Crown may be recovered through the courts. That is a problem in itself because it seems to me the only people who make money out of the courts are the lawyers — not the Crown or the litigants. That provision sends a yellow light signal. The inclusion of that clause reflects the point I was making — namely, that it is hard to determine accurately what the size of a bond should be when establishing a quarry that will be rehabilitated some 20 or 35 years down the track.

The bill sets out the relationship between the Extractive Industries Development Bill and the Mineral Resources Development Act, which fundamentally concerns licences to explore; the processes under those two bills are interrelated.

Clause 10 of the bill is pleasing. Under the heading 'Land not available for searching for stone' it provides that the minister must not grant a permit to search for stone on the following land: reference areas, national parks and those areas that have a declaration of preservation in force under the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 and the Archaeological and Aboriginal Relics Preservation Act 1972.

The recognition of those areas is important. That provision simply reinforces the commitment of the government and the community to the preservation

of the cultural heritage of the indigenous people of this country. I commend the government on its inclusion of specific provisions concerning those acts. No doubt, there would be such references under a number of other acts anyway, but their inclusion in the bill notifies everybody that an area that has been declared a national park or part of our indigenous heritage is not available even for the purpose of searching for stone.

A number of types of permits to search for stone on Crown land can be arranged. Their conditions are clearly set out in the bill. Providing those conditions are complied with, the opposition does not have any problems with the provisions. The minister's second-reading speech refers to compensation:

The government rejected the recommendation of the Environment and Natural Resources Committee that a levy be imposed on quarry production with subsequent payment into a community facilities fund. The government undertook to examine existing compensation mechanisms that may be available whereby persons directly affected by quarry operations could be compensated. Compensation mechanisms exist under the Planning and Environment Act, the Land Acquisition Act and the Mineral Resources Development Act. However, none of these provisions is capable of addressing satisfactorily all of the issues associated with any adverse effects on property owners arising from the establishment of extractive industry operations. With the adoption of specific performance standards at the boundaries of quarry sites and internal buffers, any adverse impacts on properties will be more effectively controlled. A monitoring group consisting of relevant government agencies, industry and local government representatives will be established to assess the effectiveness of these measures and the need for any specific compensation mechanism.

The government has recognised the problem and the people who ought to be involved in the resolution of the problem, but in effect it is an open-ended answer. This matter needs to be addressed and clearly is not resolved. Normally, I would be concerned about such a process but in this case, because of the number of parameters, although the government has not accepted the recommendations of the Environment and Natural Resources Committee, it has recognised the problem and is looking for a way around it. That emphasises the importance of my reasoned amendment.

Local government and local citizens need to be involved through their elected local government representatives. There is no doubt that the processes

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by which people in local government areas have their say have been removed through the appointment of commissioners, who have all the powers of a council but, by and large, are not intimately in touch with the feelings of their residents. Certainly up until 7 September 1995, commissioners have not been able to ascertain through their consultation mechanisms what communities feel about these processes — yet compensation provisions will include the involvement of commissioners.

Compensation has always been an extremely important part of the planning and development process. I am pleased the government has seen a way of addressing compensation and has a monitoring process in place. It is important that compensation not be monitored by Sir Humphrey Appleby, for heaven's sake! It is all too easy for bureaucrats with a particular view of the world to be left to judge that all is going along okay. Over the years that sort of approach has resulted in some disastrous events associated with extractive industries. The opposition sounds a note of warning.

By and large, the bill is a good response to the Environment and Natural Resources Committee report. It still has some open-ended provisions. The structure of the bill indicates that there is more work to be done, bearing in mind the difficulties associated with this sensitive industry. The bill ought to be held over until such time as there can be direct democratic input, with elected local councils legitimately playing their part in the democratic process.

The election of representatives is part of a democracy. Honourable members believe in the process of electing representatives; that is the reason why each one of us is in this place. Without that process, we could end up with a couple of dictators — generally, one dictator and a couple of helpers — sitting up on the hill making decisions for us. That is not what Victorians or members of Parliament believe in.

The principle of democracy should be applied to an industry that has a sensitive part to play in our involvement with the environment we live in. Let us hold over the Extractive Industries Development Bill until such time as there is democracy at the local government level. This industry affects specific local government areas. There cannot be a quarry that the locals do not know about.

Mr PERRIN (Bulleen) — I compliment the honourable member for Morwell on a particularly good speech that closely followed the minister's second-reading speech, but I am utterly disappointed in the reasoned amendment he moved and I will not support it for reasons I shall outline.

The Extractive Industries Development Bill is an excellent bill because it totally rewrites the legislation for extractive industries. It is entitled to bipartisan support in this house, and it is a pity it does not have that support. I do not share the honourable member for Morwell's pessimism about municipal commissioners being able to make their voices heard.

This legislation has had a long gestation. The reference was given to the Natural Resources and Environment Committee of the former Parliament, of which the honourable member for Caulfield was chairman. He and his committee did a great deal of work to produce an interim report. After the election, when the new Environment and Natural Resources Committee, of which I am chairman, was set up the matter was referred to it. We went through a long community consultation process and produced our report in May 1994. This bill takes up most of our recommendations. The legislation was introduced during the last sessional period and was allowed to lie over so that the community could examine what it proposed.

I see no reason why there should be further delay. We have been examining this matter for many years and there is no need for more delay. I hope we can defeat the reasoned amendment; another delay would not be good for the industry, the municipalities or the community. They want certainty in the law, which is why we should pass the legislation. I understand the minister will move a number of small amendments that are no doubt the result of the consultation process that has already taken place. We should be in the business of passing laws to provide certainty on this issue. I shall come back to that in a moment.

The legislation is an example of a good parliamentary system at work. A parliamentary committee examined the issue and made good recommendations, which the government has largely adopted. This legislation is a good example of a parliamentary committee and Parliament working together. It is an example of how a committee can help government to produce excellent legislation. I am sorry we do not have bipartisan support for the bill.

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Victoria has extractive industry resources that need to be protected from time to time, but the next time honourable members see a building site they should ask themselves where the sand for the cement, the stone and the clay for the bricks came from. They are all products of extractive industries. We need the extractive industry resources and we need to protect them so that they are available for future generations. It does not matter whether they are sand or stone or clay for bricks or the products of any other extractive industry, they are an important part of our economy.

A prime consideration for the committee was to ensure that these resources, which are located in specific areas, are protected. We wanted to ensure that they are recognised as valuable and that they will be available for future generations. We should not lock up these resources so that it is necessary to obtain supplies from industries further away, which would increase their cost. Well located and accessible extractive industry resources are a financial benefit to Victoria.

It became obvious to the committee that inordinate delays had occurred because of the process under the previous system — in other words, there was a crying need for change! I direct to the attention of the house appendix F of the report of the Environment and Natural Resources Committee, *Planning Issues for Extractive Industries*, May 1994, which provides a number of case studies that illustrate the sorts of delays experienced by companies trying to establish a new extractive industry. Page 140 sets out the history of the delays experienced by Barro Group Pty Ltd in the Shire of Gisborne when it was endeavouring to develop a basalt quarry. The history of the application began in December 1986 and by the time this report was tabled in Parliament in May 1994 a determination on that quarry still had not been made. That is an example of the inordinate delays under the previous process. That is the wrong way to go. The industry, the community and local government want certainty of outcome without expensive delays that take up time. The committee made recommendations intended to overcome those delays.

The second example is case study 6, involving McLeods in the Shire of Cranbourne. The extensive delays in that case took place over a much longer period. It began in May 1977 and by the time the committee's report was produced in May 1994 — some 17 years later — the matter still had not been determined. Legislation that allows that is bad legislation.

Parliament has a duty to ensure that the processes put in place by legislation do not lead to those sorts of delays, which bring Parliament into disrepute. That sort of legislation creates angst and anxiety in the community and is bad legislation. That is another reason why we do not want to delay the bill, which will overcome that problem with a single adjudication process. It will also provide certainty of outcome.

Another important matter is extractive industry exemptions. We need to protect the resources and ensure that they are readily available to our community, but we also need some exemptions. I commend the government — as did the honourable member for Morwell — for the specific exemptions outlined in the legislation. It provides that no matter what natural resources are contained in certain areas — national parks, state parks, wilderness areas, reference areas and areas of Aboriginal significance — they will not be available for extraction. I am sure those exemptions will have bipartisan support. Although we can lock up various areas that will not be subject to resource extraction, we must ensure that the resources are readily available for extraction in other areas.

That is a commendable process. I congratulate the government on inserting the clause in the bill, because the Environment and Natural Resources Committee believed the issue to be extremely important.

I now refer to the single approval or one-stop shopping process. That process will mean that an application for an extractive industry licence will be integrated from the lodging of the application to the making of a decision. The review of and appeals against planning permit decisions will be made through the Administrative Appeals Tribunal. It is important that an application for a proposed quarry be considered not just at the local or parochial level because of the range of issues that are involved. For example, the work plan, the operation of the quarry, the effect on the local community, the end use of the quarry and the environmental effects must all be examined.

One of the key recommendations of the Environment and Natural Resources Committee was that there should be a single adjudication process to assess applications for extractive industry operations and that the process should be open and allow everyone to have a say. Under the bill the Department of Agriculture, Energy and Minerals will be a referral agency because of the critical role it

has to play. In many cases extractive industries have regional significance: they provide sand, stone or cement to industries not only in one municipality but throughout a wider region. Consequently, a broad view needs to be taken. Although we need to ensure that the views of local communities are considered, many others will want to have a say in the adjudication process. But I believe it is fair that more weight be given to the views of the people who live close to the extractive industry and those of the local municipality. That is why a single adjudication process is an important part of the legislation.

I now refer to the end use of quarries. The Environment and Natural Resources Committee and the former Natural Resources and Environment Committee received many submissions on end-use matters. As an indication of the importance of the issue I will give the house an example of what has happened in my electorate. For many years the Boral brickworks, which is in Bulleen, extracted clay from the site for the manufacture of bricks. The clay was eventually exhausted, leaving a large hole in the side of the hill. The Boral company continued manufacturing bricks at that site by bringing in clay from other quarries. Not so long ago the company decided to cease operations at the site and pulled down the brickworks. Some people were concerned about the end use of that large hole in the ground. However, the end use of a quarry need not necessarily be bad.

In the example I have cited clean fill was brought in to fill the hole, and the area is now being developed as an expensive housing estate. Some members of the local community were concerned that the quarry would be used for the dumping of putrescible waste. I did not expect that to happen, but some people were worried about it. The end use of quarries can benefit the community.

Mr Hamilton — Surely the end use must be good.

Mr PERRIN — Of course that should be the case. Consumer societies generate garbage, which means there must be places in which to put it — and local communities are understandably concerned about the prospect of quarries becoming garbage tips. The Environment and Natural Resources Committee addressed the issue in its report, recommending an increase in the size of buffer zones. Quarries that have exhausted their productive lives can be filled with leftover building materials and other rubbish, to which most people have no objection. Our committee saw many examples of quarries that had

been turned into beautiful lakes surrounded by parkland — and Lake Sambell in Beechworth is a good example. So those sites can be turned into parkland and used for recreational purposes.

Most quarries have a life of 40 to 50 years, which means it is difficult to determine the end use of a quarry 50 years on. End-use plans can be developed for quarries with short working lives, and often prospective quarry owners are more than happy to attach end-use proposals to their applications. However, I understand the concerns raised by the honourable member for Morwell about the end use of quarries.

The Environment and Natural Resources Committee report recommended a significant increase in the size of buffer zones to protect both local communities from the operations of the quarries and quarry owners from the encroachment of housing.

I point out that there are houses as close as they could possibly get to the face of the quarry at the Boral brickworks site in Bulleen. Because of that there could be no buffer distances and the development of a garbage tip was not even remotely possible.

It is important to protect quarries and extractive industries from urban encroachment because, as I said earlier, our resources are limited and they must be protected so they continue to be available. The government picked up the recommendation of the Environment and Natural Resources Committee that buffers should be internal — in other words, they should be part of the quarry owner's land rather than the abutting land, but that does not have to be the situation.

We need to be aware of the fact that quarries have some environmental effects. Blasting can affect the local neighbourhood. That does not happen with sand or clay quarries, but invariably trucks are constantly going in and out of quarry sites. The committee found there were many other ways of controlling the environmental effects of quarries — for example, implementing work plans to reduce the noise from quarry plants.

The next important area I shall turn to is rehabilitation. The honourable member for Morwell clearly stated that rehabilitation is essential. The bill gives the Minister for Energy and Minerals a great deal of control over what happens with work plans, rehabilitation plans and bonds. However, the bill is

flexible because we all know there are many quarry owners who work in different sites.

We need to make sure that rehabilitation plans are effective and that they are put into place. The importance of rehabilitation is that you do not wait to carry it out. If you go around to some of the quarries at the moment you will see that quarry owners are not waiting till the end of the quarries' life before they start rehabilitating the areas. There are many cases where they have planted trees to rehabilitate the sites long before the quarries have come to the end of their economic lives. That is excellent, and we want to encourage that rehabilitation. The quarry owners at Dromana have been able to cover the scar on the hill simply by planting trees as they are extracting.

I shall now turn to environmental effects. There is no doubt that the environmental effects of a quarry can be quite marked, particularly if it is an extractive quarry that is using blasting. There must be a clear indication of the impact blasting can have on a community. There must be some way of assessing the environmental impact of new quarry proposals.

If honourable members look at the report of the Environment and Natural Resources Committee they will see that an environmental effects statement, which is sometimes requested for extractive industries proposals, is expensive. It is lengthy and expensive to put together an extractive industry proposal that involves an environmental effects statement. Whenever these statements are requested we must ensure that they are reasonable, sensible and that they cover the environmental effects of the proposed quarry. If we are to put the industry to that sort of cost we must ensure that the outcomes are relevant and that they are taken into account.

Before closing I shall comment on the compensation mechanisms on which the honourable member for Morwell seemed to hang his reasoned amendment. The Environment and Natural Resources Committee recommended that a levy be imposed on extractive industry operators and that the levy be used to compensate for adverse environmental effects. The government did not pick up that recommendation, and I have no problem with that at all. What the government has done is quite reasonable. The legislation includes buffers which provide a range of checks and balances the minister believes can prevent problems. The government's proposal is sensible and reasonable. If workable legislation does not allow the effects of a quarry proposal to be a problem, a levy is not necessary.

If there is an environmental effect on a local community the courts are always available to those people who wish to take issue with that effect. However, I shall put this point on the record — the honourable member for Morwell may not have understood the point — a levy on so much per tonne of extractive material will put up the price to consumers. The committee was conscious of that, and I am sure the government is conscious of it.

If the honourable member for Morwell is arguing that he wants to increase the price of extractive goods such as sand, cement, clay and stone, then the consumer will have to pay. The honourable member is asking for consumers to pay more to overcome a potential problem. My view is one of preventing the problem in the first place — that is, keep stone and sand resources at reasonable prices for our consumer. It has a great economic effect and we do not have to introduce this bureaucracy.

In conclusion, I strongly support the bill. I congratulate the minister and the government on picking up 90 per cent of the committee's recommendations. The committee carried out a lot of good work, and I know that the minister has congratulated all its members. Given that the committee comprises members from all political parties in this Parliament, the fact that the government picked up its unanimous recommendations and included them in legislation is a great credit to the committee and reflects the hard work that I and my colleagues undertook to produce the report and subsequently this bill.

Ms MARPLE (Altona) — The introduction of the Extractive Industries Development Bill shows how well our system of democracy can work. It may have faults and problems because you cannot always please everybody, but the committee system — even with a change of government — has in this case demonstrated that it works in a democratic way by producing a bill that can receive support from across the community.

That does not mean that the opposition agrees with everything in the bill and it does not mean that the opposition has no concerns. However, this bill shows that all honourable members are able to look at an area of concern for all Victorians and put forward ways of working with an industry that is of such importance to all of us.

There is no doubt that the extractive industry causes a lot of anxiety for people. At the same time we should take into account that the industry produces

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goods that we all depend on. Construction work is dependent on the sand and stone that is part of the extractive industry. This great building, Parliament House, is also a monument to that industry. I have no doubt that a quarry nearby was used for the stone for the building, and I am sure the nature of the industry caused some anxiety to the early residents of Melbourne — I refer to the noise, the dust, and so on — just as it causes anxiety at the present time.

Those who contributed to the development of the bill worked on the problem of making sure we preserve our natural resources for society's use while taking into account the need to maintain the environment for future generations.

It is appropriate to thank all the people who were involved in the process, including the members of the former Natural Resources and Environment Committee that was established by the previous government and chaired by the honourable member for Caulfield as well as the current Environment and Natural Resources Committee, which is chaired by the honourable member for Bulleen. I am fortunate to be a member of the committee that presented to Parliament the May 1994 report entitled *Planning Issues for Extractive Industries*.

I also acknowledge all the work done by public servants; our research officer, Ms Barbara Guerin; our executive officer, Mr Ray Wright; and the office manager, Ms Janet Cresswell. There is no doubt that our committee could not have functioned as well as it did on this issue without those people, particularly our research officer. Her guidance and her knowledge of both the industry we examined and the natural resources it uses was of the utmost importance. We could not have done without her work. All members of the committee join with me in acknowledging and thanking those people — as, I am sure, does the minister.

The government's positive response to our report led to the introduction of the bill. That is how our democracy works. The bill was allowed to lie on the table over the winter recess to give people the chance to have further input. The government has circulated several pages of amendments to the bill. For example, amendment 2 to clause 5 will enable a farmer to remove stone 'from land that is a farm if the stone is intended in good faith only to be used on that farm for the purposes of a dam or other farmworks and not for sale or any other commercial use'. Farmers told both opposition and government members they were concerned that they would not

be able to use, for example, the stone and gravel resource on their farms to build dams and/or put gravel in yards or along driveways on their farms. That is why the amendment is before us today.

The opposition should also be able to propose amendments that deal with its concerns. Although the honourable member for Bulleen believes members of the opposition should not be allowed to put forward any amendments, our system of democracy requires that we should be able to. That is why it is important that the reasoned amendment be agreed to, because it argues that the bill not be read a second time until all local government areas have properly elected councils that can respond to the concerns of their residents.

In all honesty, we should all be concerned about local government commissioners being in office for such a long time. There are times when commissioners are needed; but many of us are concerned about the length of their appointments under this government. Many local people have expressed their concern about the appointment of commissioners who live outside the municipality. Sometimes people from outside are better placed to see how a municipality is functioning; but on the whole, voters do not believe that appointed commissioners are anywhere near as good as elected councillors who live in the areas and who understand local issues. That is why we have moved the amendment asking that consideration of the bill be deferred until we have properly elected councils to respond to the concerns of residents. We ask government members to take note and to vote accordingly — although we are not holding our breath!

The inquiry was very interesting. Although I was unable to go to all the quarries or attend every public hearing and talk to all the people who attended, it was enlightening to see the work that is being done on the rehabilitation of quarries, which the honourable member for Bulleen spoke about. It can be done and the results can be excellent; but unfortunately we all know that it does not always happen. The opposition hopes the bill will ensure that the rehabilitation work continues.

It is important that we watch carefully to see how the bill works in practice and that Parliament is ready to act if the legislation fails us. No legislation stays unchanged forever, and I am sure the bill will need some work in the future. If changes need to be made the opposition will put them forward in the hope that the government will take them up.

Along with the other committee members I was pleased that the government responded positively to the report. Some honourable members believe the committee's recommendations are not as strong as they could have been, and I hope they will speak during the debate. However, the government responded positively to our recommendations. The ministerial response was also positive in most cases. The minister agreed to the need for the long-term protection of our stone resources, which the honourable member for Bulleen pointed out. We must not postpone any action until better geological knowledge is obtained — although that is the sort of information we must always be trying to obtain. I hope the government will plan for the long-term protection of the resource. As the honourable member for Morwell pointed out, the bill emphasises the importance of the work that needs to be done in the planning area.

The government has agreed to each of the proposals the committee put forward on the extractive interest areas. The government has expressed its concern about the operations of the extractive industry, recognising the need to preserve our natural resources — the base materials we need in our daily lives — and to protect the environment. I was pleased to read that that was agreed with in many areas.

I am disappointed the government disagreed with the committee's recommendation that future landfill sites for putrescible waste should have a minimum internal buffer zone 200 metres wide. The government believes that should be determined by performance standards for quarry operations. I hope that turns out to be the case because, as the honourable member for Bulleen pointed out, that is one of the major issues regarding disused quarries. I hope the government's decision will in future protect people who live near quarries.

I am pleased the government agreed with the administrative framework. However, it should be noted that the government disagreed with the recommendation that once permission for an extractive industries site is granted it should be zoned as an as-of-right extractive industries zone. The government's position is that the end result of that recommendation will be equally well achieved by the granting of a planning permit for the life of the quarry. The opposition hopes that will be the case and will monitor the situation. I assume the government made its decisions in light of the considerable information at its disposal. The situation is well documented in the committee's

report and the minister's reply to it, and that will assist in monitoring the operation of the act.

The honourable members for Morwell and Bulleen commented on the operation of the bond. The committee recommended that the current bond system should continue and that the bond should be appropriate to the operation involved, reviewed regularly against the performance of the operators and sufficient to return the site to a condition deemed to be commensurate with or equivalent to the environmental condition that prevailed before the extraction. Although the committee realised that determining an equivalent environmental condition involves a subjective judgement, it considered that could be worked through with local people.

The government disagreed with that recommendation and has adopted the position that the bond should be sufficient to return the site to a safe and environmentally sound state. I note that that has not necessarily happened previously. The government believed the committee's recommendation implied that backfilling would be needed in each case, but I do not think that was in the minds of the members of the committee. In any case, the minister has said that would be impractical.

As the honourable member for Bulleen pointed out, although that was not within the committee's terms of reference, it was one of the major issues brought before us. It is a fundamentally important consideration for people living near quarries. Those people have faced difficulties in managing that issue, and I admire them for that work.

When observing quarries in action and talking with local residents, I noted concern about truck movements. The committee recommended that consideration be given to truck movement levies and that the government should investigate the matter by establishing a truck movement levy review. The minister has said that will be referred to the Minister for Roads and Ports in another place for consideration. There is no doubt that although trucks have become an enormously important part of everyone's life they also cause a great deal of concern because of the noise they generate and their ability to kill — no-one would like to have a confrontation with a large truck.

In many cases trucks travel through built-up areas and are often observed travelling at questionably high speed. Although problems with trucks are a broader community problem, people who live near quarries are faced with constant truck movements.

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There is a need to consider the number of trucks on the roads and how they are managed.

Although the consultation process undertaken by the committee was important, further consultation has also taken place recently, and I thank those involved. I hope the future will bring changes because although we are all very dependent on the extractive industry it is also a cause for much concern. It is important that we monitor carefully how the legislation operates to ensure not only that the resource is protected but that its end products are available at a reasonable price for all to use in the provision of shelter, roads, paths and all the other things we depend on the extractive industry to provide.

We should also monitor the rehabilitation of the areas involved. Today there is much more community interest in these matters. Although people understand that quarries are an important part of their daily lives, they are also aware that they deplete our natural resources. People would prefer that disused quarries were not left as gaping holes in the environment but that they were returned to the community in a condition equivalent to that which existed before quarrying began — that is, an area that can be used by people in the way they consider best for them.

A refuse tip must be handled properly. With the proper use of water and the planting of trees such an area can be made to look beautiful and provide a lovely recreational area for the community.

It is essential that there be properly managed recreational areas for future generations, so it is important that the regulations be enforced. The government should not leave such areas entirely to private enterprise because the quarries must be managed properly, and when they are no longer in use proper rehabilitation processes must be put in place.

I commend the reasoned amendment moved by the opposition. It is important that the overall picture be the right one to enable society to function properly, especially with regard to elected councils. There must be community involvement, and not only by those who have the ear of the government. Everybody should be concerned about our natural resources and know what is happening to a quarry that is being worked and what will happen at the end of its life.

I am pleased at the way the government has gone about dealing with this issue through the committee process. We must be watchful about what the bill as an act will do for the future of the extractive industry and our environment.

Mr J. F. McGRATH (Warrnambool) — I congratulate the Minister for Energy and Minerals on biting the bullet on an issue that has been before the Victorian public and parliamentary committees for some time with regard to extractive industries. The honourable member for Morwell said that quarries were started with gay abandon and then abandoned. His comments were very appropriate because as we look around rural Victoria we see plenty of bad illustrations of that having happened and the enormous blight that has been left on the community.

I congratulate the Environment and Natural Resources Committee (ENRC) for its work. Before 1992 I also had the privilege and pleasure of being a member of the former Natural Resources and Environment Committee (NREC), chaired by the honourable member for Caulfield, that also examined the issue of extractive industry. Unfortunately the issues dealt with by parliamentary committees and the work they do are not seen or perceived by the wider community. We see a lot of short 15-second grabs on television of what goes on in this house, which in my view portray a poor image and example of the constructive forums that are available in the parliamentary process. Parliamentary committees are one of those structures.

This is just one example from the ENRC of what can be achieved by people from both sides of the political spectrum working together to try to achieve an outcome. The report has been supported unanimously by the committee members. I can recall as a member of the NREC dealing with some difficult and sensitive issues. We never had one dissenting minority report. Members on the committee came from both ends of the spectrum on issues relating to conservation, but we worked through them, albeit with some difficulty, and arrived at an agreed position which enabled the committee to submit a report.

Extractive industries have played a vital part in the development of Victoria since the start of democracy in this state. The building of this precinct would not have been possible had it not been for the extractive industry. The stone and material that have been used came from the extractive industry. The

development of Melbourne, other cities and regional and rural townships around our great state depended and will depend heavily on extractive industries in the future. Irrespective of advances made in technology, science and research and development that are taking place and will continue to take place throughout the world we have yet to come up with a commodity to replace that which can be produced only through the extractive industry process. The minister has been prepared to bite the bullet on an issue that is important and sensitive because it provides infrastructure and significant employment opportunities.

As a person who spent a short period — about 12 or 18 months — working as a driver in the extractive industry in a bluestone quarry I understand not only the importance of this legislation to the industry but also the importance of the people who work in that environment and the need to ensure that all safety elements are taken into account. There are large stone-crushing procedures and a lot of equipment at quarries, and therefore an element of risk, particularly to workers. The provisions of this legislation will be carried out by regulation, as we deal with many similar issues. Importantly, one would expect that out of it will come a much better managed industry. The industry has a good safety record up to this point, but there is potential danger at all times. In the days when I worked in the industry I recall that it was a reasonably safe environment, but there was potential danger.

There were some extractive industries in my electorate. Most members would be aware of the wonderful state game reserve called Tower Hill on the western side of Warrnambool between Warrnambool and Port Fairy. It is near where I was born. As a child I would ride my trusty pushbike some 5 miles from my home on a Sunday and circle what was a motorbike scramble track around Tower Hill. That is how three or four of us spent our Sunday afternoons. Since then a lot of work has been done on Tower Hill to restore the flora and fauna that originally existed. The great blight on Tower Hill is the quarrying that went on many years ago with no real view about the aesthetic outcomes for future generations.

As motorists drive along the Princes Highway it is clear to them what has been left by indiscriminate quarrying, which is in line with what the honourable member for Morwell said: quarries were started with gay abandon and then abandoned. There is a great scoria face that will be difficult to remedy no

matter what procedure is put in place. It will be difficult to do much with it.

That is a legacy of poor management in an era in which we were not sensitive to the environmental issues that thankfully are so much on the minds of people today. It is a constant reminder when I drive along the highway and see that blight on the landscape. To the left as you drive over the top of Tower Hill is a beautiful view of the coast with the white caps of the waves rolling in. Beautiful volcanic soils lead up to the pasture and grazing country and to the right is this terrible feature of the cliff face. It is a bit sad but it is difficult to do anything about it now.

In my electorate is an extractive business called BAM Stone that supplies the bluestone paving along Bourke and Spring streets. Don Bartlett and his wife Yvonne are international leaders, having set up a business to extract and produce bluestone that has put the small township of Port Fairy on the map. BAM Stone provides bluestone not only to the City of Melbourne, which is obviously a very important market for it, but also overseas — the Bartletts are developing an export industry.

As part of the extractive industry the Bartletts, with the assistance of geologists, are continually searching for stone that will give them a slightly different finish and make their product attractive. To their credit, they do not rest on their laurels but keep pursuing their aim. Recently they discovered a stone with a beautiful mustard strain through it. However, as they got into the body of the stone they found that it was impervious in some parts so the excavation, although small at the time, had to be filled in and left because the stone was unsatisfactory. So a lot of other work takes place as well.

That brings me to the important part of this legislation: that we ensure reclamation programs are put in place so that blights such as the one I mentioned are not left on the community.

It is interesting that Don Bartlett's brother, Neville, has been more actively involved in drainage works than in extractive industries. He is a bit of a non-professional lawyer in the sense that he has taken a great interest in understanding legislation that affects his operation. The extractive industries legislation is one such piece of legislation. Neville Bartlett was invited to be guest speaker at the Yambuk branch of the Victorian Farmers Federation. Yambuk is a small farming village west of Warrnambool halfway between Warrnambool and

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Portland at the western end of my electorate. Neville revealed that he thought that the 2-metre rule that had been changed in the definition from the old act to the new one was the one that might impact on farmers. That is where the original lobby of the farmers' group came from. It shows the importance of consultation.

I sent Neville a copy of the bill and asked him to look at it and come back to me on any issues he thought were important. As a direct product of having gone through that process he was able to analyse the bill and come back to me. We were able to draw the matter to the attention of the minister who quickly analysed the situation and, to use a legal term, put beyond doubt the ambiguity that was there. It was a matter of how the bill was read, but the ambiguity removed the right of farmers to use the stone, or whatever the commodity, for their own use.

One of the amendments that will be moved deals with that ambiguity. Again it is pleasing to be able to respond to those sorts of concerns because farmers use those commodities for various reasons: for vehicle and stock tracks on their properties, around troughs and damp areas and where they have legitimate reason to use it for their own purpose to assist them in primary production. It was never the intention of the legislation to prevent that. That is why it is important to put beyond reasonable doubt the interpretation of that clause to ensure that property owners are able to continue those practices.

I have much pleasure in supporting this legislation as it impacts on my electorate. One of the issues raised by Neville Bartlett was the provisions for the pegging out of the work plan. He had some concerns about two people lodging a claim at the same time. I am given to understand that that will be dealt with in the mechanics of the legislation as it is put in place.

The other issue raised by Neville Bartlett that is worthy of consideration is how he interprets the power of inspectors in the legislation and the rights they have simply by the terminology used in the bill. I intend to discuss that with the minister and the department at some stage with a view to ensuring that the intent of the legislation is in line with the philosophy and not that which Neville Bartlett might see as being a possible outcome.

I have much pleasure in supporting the legislation to repeal and replace the Extractive Industries Act 1966 with the Extractive Industries

Development Bill. I commend the minister. The name change is significant because we are not talking about only an extractive industry but about an extractive industry that provides development opportunities. That is what we have to be about. We have to see what we can develop, taking note of the conservation demands that are ever prevalent as we go about these sorts of practices. We must ensure that we are able to provide an environment for development where we can see these things happen.

Employment is the major problem of this nation and this state. We need to be mindful of the sorts of developments that we can undertake that will either directly improve employment opportunities or indirectly create employment opportunities through associated industries. This bill goes towards achieving that end. I commend the bill to the house.

Dr VAUGHAN (Clayton) — In entering the debate on this important legislation, I compliment the honourable members for Warrnambool, Altona, Bulleen and Morwell who have already spoken on the debate. The legislation is important because extractive industries are important to Victoria's economic development. As the member for Clayton, I enter the debate principally because of the damage that has been caused by an inappropriately managed extractive industry, by over-extraction, in the southern part of my electorate. I refer to the areas of Heatherton, South Oakleigh, Clayton South and neighbouring suburbs.

I wish to comment on the process that has resulted in the development of this legislation. It had its genesis in an issue that the Honourable David White in the other place took to the cabinet of the former Labor government. Cabinet referred the issue to an all-party parliamentary committee and asked it to recommend new legislation to govern extractive industries in Victoria. I am pleased that that process occurred.

The investigation by the former parliamentary committee had not been completed at the time of the change of government, but a new reference was given to the new parliamentary committee established by the present government. That committee completed its task in a most satisfactory way. The committee was able to consult widely with all interested parties, including those with economic interests and those that use the products from extractive industries as well as communities, local government and other interested groups or parties.

The government has overwhelmingly picked up the recommendations resulting from the excellent work of the committee. This bill, in contrast to much legislation so far introduced during the reign of the Kennett government, is now the subject of appropriate debate in this place. The government is to be complimented on every aspect of the development of the legislation: it should be used as a model for other legislation that is to be the subject of debate in this house.

I mentioned the importance of extractive industries to the Victorian economy. When I look at high-rise buildings in the central business district I think, 'Yes, the sand probably came from my electorate'. When I look at houses in the south-eastern areas of Melbourne I think, 'Yes, the sand probably came from Clayton'. Most of the sand that can be extracted from the Clayton electorate has been extracted and it is time sand extraction from that area ceased.

If I had the facility available I would like to project onto the wall of this chamber an aerial photograph of the southern part of my electorate to illustrate to honourable members the blight, the scarring and the environmental damage that have occurred to the area in the postwar period because of the extraction of sand from there with no regard to rehabilitation. However, the sand extraction industry continues to operate locally in a cowboy or cavalier manner.

The sand extraction industry has been a very poor corporate citizen in the south-eastern suburbs of Melbourne. If I had to name one particular company with which we have had tremendous difficulties it would be Pioneer Concrete (Vic.) Pty Ltd, which has caused such diminution of urban amenity for the residential neighbours surrounding its operations that it would take me a week to list the company's faults.

To take a small example, it took years to get the company to behave in a moderately reasonable manner at its sand processing plant and former sand extraction location in Talbot Avenue, South Oakleigh. It took years to have that company tailor its operations in a way that confined even the sand it was processing to within its boundaries. That should not have been so.

The department should have policed the industry better. The company should have had some corporate pride in its ability to operate in a way that did not affect the amenity of other Victorians, but it seemed not to be able to do that. The department

should have policed the company's operations in a far more stringent manner than it did.

It took years to accomplish even a modest improvement in the operations on that site; that should not have been the case. I place much of the blame for that on the operations of the department. I accept that for too long the department was operating within an inappropriate legislative framework but also it was too close to the industry. The department seemed incapable of finding an appropriate balance between the amenity of the public living in the vicinity and the need for the company to operate and earn a profit. That is why I strongly support the legislation.

What happened was inexcusable; finding a solution to the problem took too long. I have never wanted to see a repetition of that problem but, sadly, the problems continue to occur. I hope that under a new and more appropriate legislative framework the officers of the Department of Agriculture, Energy and Minerals will adopt a different culture or attitude towards their duties, which certainly include policing the industry in a way that protects the urban amenity of people who live and work in the vicinity of extractive industry operations.

The whole area across Clayton South, Heatherton, parts of South Oakleigh down to Springvale South and Dingley has suffered greatly for 50-odd years at the hands of poorly supervised cowboy-operated sand extraction operations. A tremendous legacy by way of a blight or scar on the landscape exists. For too long attempts have been made to repair the scar by inappropriately burying municipal garbage in the holes. I have spoken on that subject in this house on numerous occasions. It is appalling that the extractive industry behaved in the way it did.

I take issue with the point made by the honourable member for Morwell, who suggested that decisions by the AAT had generally been satisfactory. I was appalled by decisions of the AAT when the tribunal comprised persons with backgrounds in local government who treated every hole as a potential tip and seemed incapable of bringing an appropriate attitude to planning issues surrounding particular holes in the latter part of the 20th century. Appalling decisions regarding sandmining in the sand extraction zone in the electoral district of Clayton have been made by the AAT; but, more particularly, appalling decisions have been made about so-called rehabilitation and after-use where the after-use for an area was to be as a municipal tip.

Ticking away in the sand extraction zone in the Clayton area is an environmental time bomb with garbage and who knows what else buried below the watertable in an area where water movement through the former sand extraction site — that is, the current tip — is quite extensive. Major environmental damage has been caused not only by the sand extraction industry but also by the so-called rehabilitation and after-use — that is, municipal tipping.

Real problems in that area need to be addressed. Fortunately, local government and Melbourne Water came together in the late 1980s to develop a plan to turn much of the sand extraction zone into a proposed chain of parks. The title 'Heatherton-Dingley chain of parks' was used during the late 1980s, but more recently an incoming minister seemed to want to put his own stamp on the project, and I am happy about that. The name became the Sand Belt Open Space Project.

There is a tremendous need to rehabilitate those former sand extraction sites, but too little is occurring too slowly. Some small development has occurred adjacent to Warrigal Road, South Oakleigh, in a park that has recently been named Karkarook Park.

However, even that park is blighted with a potential sandmining proposal — an appalling concept when the whole zone has been so over-extracted. The relevant minister is potentially giving the green light to further sand extraction in an area that has been blighted for so long. I hope the minister will hear my words and reconsider this and other proposals where companies, grasping for the last dollar out of an over-exploited site, now want to mine the roads, which form an important corridor in the redevelopment of the area as a chain of parks. The roadside verge is the only remnant of native vegetation left, so it is an important biological resource for the reclamation of this vast area, which is the largest physical barrier, apart from Port Phillip Bay, in the Melbourne metropolitan area.

I was appalled when the Local Government Board failed to see that huge, man-made barrier across metropolitan Melbourne when drawing up boundaries for local government reorganisation.

Mr Hamilton — It is like putting your head in the sand.

Dr VAUGHAN — There is not much left to put their heads in! When the board drew those

boundaries and put almost all the sites I am referring to in the new City of Kingston, an important part of the community in the City of Kingston north of those sites was divided from its natural links to community networks and services. That has little to do with the bill, but it is important to the community I represent.

Mr Hamilton — Getting away with murder.

Dr VAUGHAN — Murder is not what I am accusing the extractive industry of, but it has got away with just about everything else, and if this legislation can curb that and retrospectively undo some of the appalling damage, I shall be very pleased.

Sand extraction is a necessary industry for Melbourne. A good deal of Melbourne has been built from sand extracted from South Clayton and the surrounding areas, but the local community has suffered at the hands of the industry for several generations. It is time for the sand extraction industry to move on to the outskirts of Melbourne and source sand for this great city from elsewhere. There is sand beyond Cranbourne and in the South Gippsland area, and those resources can be brought on stream to replace the sand being taken from the Heatherton-Dingley area. It is time the government said no to any further extraction in that area and moved on to rehabilitating those devastated sites with more enthusiasm and resources than we are currently seeing.

There are many other examples of the excesses of the sand extraction industry locally. I have given only the one small example of an appalling response to community concern in the Talbot Avenue, South Oakleigh, area from Pioneer Concrete (Vic.) Pty Ltd, but I could have listed many others. It is time for the government to get its act together and change the culture in the department, which has been too close to the industry and has ignored community concern for too long. Those are the important issues I would like to see addressed.

Debate adjourned on motion of Mr TANNER (Caulfield).

Debate adjourned until later this day.

PUBLIC ADVOCATE

The SPEAKER — Order! I wish to advise that this day I administered to Alan David Green, the Public Advocate, the oath required by schedule 3 of

the Guardianship and Administration Board Act 1986.

UNIVERSITY ACTS (FURTHER AMENDMENT) BILL

Government amendments circulated by Mr HAYWARD (Minister for Education) pursuant to sessional orders.

Second reading

Debate resumed from 1 June; motion of Mr HAYWARD (Minister for Education).

Mr SANDON (Carrum) — The opposition does not oppose this bill, which makes changes to the Monash University Act 1958, the Melbourne University Act 1958, the La Trobe University Act 1964, the Deakin University Act 1974, the Victorian College of the Arts Act 1981, the Victoria University of Technology Act 1990, the Swinburne University of Technology Act 1992, the Royal Melbourne Institute of Technology Act 1992, the University of Ballarat Act 1993 and the University Acts (Amendment) Act 1994.

Some of the amendments are common to each university; others are specific to particular universities. The amendments have been requested by the universities.

Common to all universities are a number of financial provisions. Those provisions were applied to some universities through an amending bill, which was debated and passed with opposition support in the Legislative Council on 8 November 1994.

That amending bill provided for universities to borrow or obtain financial accommodation within the meaning of the Borrowing and Investment Powers Act; for the formation and membership of companies, joint ventures and so on; and for universities to notify the minister of their actions in that regard. This bill extends those provisions to other universities.

A second common amendment provides for the use of electronic and other forms of communication by councils without requiring members to be physically present at a meeting. A third common amendment widens the range of organisations that may be affiliated with universities.

Other minor amendments concern the terms of office of La Trobe University council members, an

increase in the size of Deakin University council by two members and a change from the term 'PACCT staff' — or professional, administrative, clerical, computing or technical — to the term 'general staff' at Swinburne University of Technology.

There are amendments to the provisions governing the investment of trust funds to provide consistency with the procedures of Melbourne, Monash and La Trobe universities.

The Minister for Education will be introducing a wide range of further amendments in committee. The opposition does not oppose the legislation; it wishes it a speedy passage.

Mr KILGOUR (Shepparton) — I support the University Acts (Further Amendment) Bill. By introducing this bill the government shows it is prepared to work with universities; it is prepared to understand that they need to be up to date with new technology affecting not only educational spheres but all spheres.

The decision to discuss the bill in committee reflects the amount of information received from universities on what is required to bring them up to date with the latest technology and enable them to work with that technology, introducing new realms of education.

The bill is designed to streamline procedures that support universities in carrying out the roles of teaching and research — vital components of university life. The changes will improve their operational efficiency.

There has been full consultation with universities. They are looking forward to the proclamation of the bill and to getting on with the job.

A number of acts were amended last year. This is a housekeeping bill, bringing into line with other universities the Victorian College of the Arts, Monash University, Melbourne University, La Trobe University, Deakin University, Victoria University of Technology, Swinburne University of Technology, Royal Melbourne Institute of Technology and the University of Ballarat.

The state's universities are a vital cog in the wheel of Victoria's education system. The government must ensure it liaises with institutions, discussing their problems and dreams, how they can work not only together but also with industry — ensuring they provide people with the skills required by industry

and ensuring this country's competitive future — and how they can continue to provide a world-class standard of education.

Multicampus institutions have been developed. University education has been expanded in country areas such as Ballarat and Bendigo, which has a La Trobe University campus.

Mr Hamilton interjected.

Mr KILGOUR — I am glad the honourable member asks that question. In recent days university education has come to the City of Greater Shepparton and to the Goulburn Valley. I am proud of that and pleased to see that the honourable members for Morwell, Doncaster and Monbulk support me on that point. The honourable member for Monbulk recently visited the City of Greater Shepparton. I was pleased to be able to tell him that university education had come to the Shepparton municipality and that classes are to be held at the TAFE college.

The Minister for Education has been magnificent in his support in bringing university education to Shepparton. The North Shepparton Secondary College was closed and the bureaucrats wanted to sell the site. Although university education is vital to the City of Greater Shepparton and to the Goulburn Valley, there was not enough room for classes to be held at the Goulburn Valley Community College. The Minister for Education allowed the Minister for Tertiary Education and Training to approve of TAFE business and other studies being moved to the former North Shepparton Secondary College. In that way the main campus of the Goulburn Valley Community College has been able to accommodate university education.

That has meant a tremendous amount to Goulburn Valley residents. Now their children do not have to leave Shepparton to complete their first year of education. They can remain in the family home, saving the family thousands of dollars. People living in the metropolitan area do not understand the added expense of children having to leave the country home and board in Melbourne. It costs an incredible amount, around \$14 000 a year, to pay for a student's boarding costs in, say, a Melbourne college. It is vital that there be university education in the Goulburn Valley. I am thankful that those two ministers were able to make those arrangements.

As legislators, honourable members need to be aware of the changes in our education system and of

the need to accommodate such changes and their impact on teaching and research, and to make arrangements enabling universities to be administered and operate successfully and effectively. There is an interaction between universities and industry and a development of research programs that has not been seen before. This amending legislation will support further involvement in research.

Some of the amendments concern the extension of borrowing powers and changes to company procedures, all of which is to do with modern business operations. Universities are just like businesses. They are working in a new environment. We must remove unnecessary constraints on the operation of universities, allowing them to compete with one another for students and ensuring they provide the best university education they can. There are changing circumstances, and we need to acknowledge those changes in a university context.

Universities have the capacity to manage their affairs. Most importantly, the government is ensuring that universities have the capacity to manage their affairs on a sound commercial basis. The legislation gives universities the opportunity to enter into agreements, partnerships and joint ventures with outside bodies with minimal government interference.

However, we must ensure that universities continue to be properly accountable for the things they do. The bill provides for Monash University to come into line with others in the area of company procedures and borrowing powers. It also allows the university to affiliate with other institutions.

The bill provides that Deakin University can make resolutions without a meeting of the council being held. It modifies the company formation procedures, as it does for all the other institutions. It also provides for two additional members from outside the university to be appointed to the council in recognition of the wide geographic area covered by the university.

The bill makes some small changes to the Melbourne University Act, including changing the methods of communication, and makes other amendments required because of the changes made to the council membership last year. The La Trobe University Act is amended to make it possible for regulations to be made by the council rather than by statute. The bill gives the council the power to revoke academic awards and provides for changes in the membership

of the council to take place on the standard date of 31 December. Amendments have also been made to provide for the borrowing powers, company formation procedures and approved methods of communication that have been provided for the other universities.

It is also necessary to amend the Victorian College of the Arts Act to remove the age restriction for council members and to provide for better methods of communication to ensure that organisational arrangements are put in place for the provision of academic programs leading to the awards granted by the University of Melbourne under the affiliation agreement. Amendments are made to the Victoria University of Technology Act that are similar to those made to the other university acts. The amendments to the Swinburne University of Technology Act remove the provisions that limit the number of terms council members can serve, and provision is also made to ensure that land granted to Swinburne University by the government cannot be disposed of without the minister's approval. The Royal Melbourne Institute of Technology Act and the University of Ballarat Act will be amended to provide for similar housekeeping arrangements to those provided in the other university acts.

The operation of universities will improve. Trust funds will also be provided for and there will be consistency across the tertiary institutions following procedures established at Melbourne, Monash and La Trobe universities.

I support the bill. The universities also fully support the bill. They asked the government to provide them with the opportunity to use the most modern techniques in office procedures and communications between universities and within universities. I am sure they will be pleased when the act is proclaimed in the near future so that they can begin working under it.

Mr HAMILTON (Morwell) — I cannot resist the temptation to contribute to the debate on this bill, which does have some important aspects. I assure the house that there is no truth in the rumour that every university will now have a dollar sign incorporated in its logo. The bill will take university education away from the tradition of the wonderful days of Socrates and Plato. To paraphrase a famous song: when I was a young man, universities had something to do with education.

The bill is about the commercialisation of universities, and it behoves a member of this house

to draw to the attention of the community what has happened to universities since the iconoclasts took over. Once upon a time the people in universities cared about education, learning and the seeking of truth and knowledge. They were the essential parts of our universities. However, nothing in this bill relates to that spirit of universities.

Honourable members interjecting.

The SPEAKER — Order! Two members on the government front bench are being disorderly and are interjecting from out of their places. I ask them to cease interjecting. The honourable member for Morwell should and does command great respect in this place, and I ask that attention be given to his words.

Mr HAMILTON — The protection of the Chair is appreciated. Another critical point has not been mentioned in the debate. In his second-reading speech the minister said:

A further change in the Monash, Melbourne, La Trobe and Deakin acts —

I would put Melbourne before Monash, given the history of those two organisations —

removes the requirement for the presentation of annual reports to the Governor since provision is made elsewhere ... for the presentation of these reports ... (to) Parliament.

That is an important phrase. Reading between the lines, it is saying that the government supports — I believe it is a good move — republicanism. We do not need to have the universities dealing with the Governor — as has been done traditionally — because now we can take the matters straight to Parliament and forget about the importance of the Governor. It is good to see the government supporting republicanism.

A more serious matter in the bill is the amendments that provide that resolutions can be made without members of the board or of the council attending meetings. Some may argue that their presence may not be important anyway, but now they do not have to get out of their plush leather chairs because they can do it all by telephone or through some other form of communication. It seems to me that that is letting them off the hook. Today in the newspapers there is an example of rorts in big business, with the board of Coles Myer walking away from its responsibilities. That is what will happen to

universities. The vice-chancellors will be left to run them without being overseen by the boards of the universities. That is a bad move. Surely if it is good enough to be on a university board or council, it is good enough for members to attend the meetings to make those decisions. Under similar circumstances I could make my speech from Morwell rather than coming up to Parliament House. There ought to be a commitment to the true tradition of universities that existed before the iconoclasts took over.

The other issue that concerns me about the bill is the gradual increase of commercial-in-confidence matters. We will not know what is going on in our universities because we will be told, 'We can't tell you that because that is a commercial-in-confidence decision'. Councils will make decisions by remote control or by a string being pulled by the vice-chancellor or, more likely, by a business manager. We have reached the last stage, because the only thing that is important is the almighty dollar. This is a prostitution of education. How honourable members on the government side of the house can sit there and see education prostituted because the rush to make the almighty dollar has taken over from the true meaning of universities — the search for truth and knowledge — is beyond me. I could say a lot more about that.

It is extremely important that the house recognise what will happen to university education when business takes over from institutions that have been the true protectors of the independence, culture and future of this race of people.

Mr HAYWARD (Minister for Education) — I thank all honourable members for their support of the bill. The honourable members for Carrum and Shepparton pointed out that this is essentially a machinery and administrative bill. It picks up the requests that have been made by the universities and has involved extensive consultation over a number of years. It has the support of all parties and is non-controversial.

A considerable number of amendments that are also essentially machinery and administrative matters will be made during the committee stage. They are the result of requests made by the universities as a result of the extensive consultation with them. The universities are fulfilling an outstanding role in Victoria and in Australia. They are showing leadership in a whole range of areas. The bill will give them the potential to improve their administration and efficiency. They will increasingly focus on new opportunities for Australia and

Victoria. Our universities are fine organisations of which we can all be proud.

I thank the house and in particular the honourable members for Carrum and Shepparton for their support of the bill and their analysis of it. I am sure the bill will have a speedy passage through this house and the other place.

Motion agreed to.

Read second time.

Committed.

Committee

Clauses 1 to 3 agreed to.

Clause 4

Mr HAYWARD (Minister for Education) — I move:

1. Clause 4, line 25, after "document" insert "circulated by, or on behalf of, the Chancellor".

Amendment agreed to; amended clause agreed to.

Clause 5

Mr HAYWARD (Minister for Education) — I move:

2. Clause 5, line 7, after "University" insert ", whether before or after the commencement of section 5 of the University Acts (Further Amendment) Act 1995".

Amendment agreed to; amended clause agreed to.

Clause 6

Mr HAYWARD (Minister for Education) — I move:

3. Clause 6, line 15, after "document" insert "circulated by, or on behalf of, the dean of the Victorian College of Pharmacy".

Amendment agreed to; amended clause agreed to.

Clause 7

Mr HAYWARD (Minister for Education) — I move:

4. Clause 7, page 6, line 5, after "document" insert "circulated by, or on behalf of, the chairperson of the Board".

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Amendment agreed to; amended clause agreed to.

Clause 8

Mr HAYWARD (Minister for Education) — I move:

5. Clause 8, after line 11 insert —

(1) In section 28(1)(e) of the *Monash University Act 1958* —

- (a) after “study, of” insert “prior learning, including but not limited to”;
- (b) for “agricultural college, technical school, high school or secondary school or in any correspondence course or tutorial class” substitute “educational institution”.

6. Clause 8, line 12, before “In” insert “(2)”.

Amendments agreed to; amended clause agreed to; clauses 9 to 13 agreed to.

Clause 14

Mr HAYWARD (Minister for Education) — I move:

7. Clause 14, line 18, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 15

Mr HAYWARD (Minister for Education) — I move:

8. Clause 15, line 32, before “In” insert “(1)”.

9. Clause 15, after line 33 insert —

(2) In section 19(2) of the *Melbourne University Act 1958*, after “University” insert “, whether before or after the commencement of section 15(2) of the *University Acts (Further Amendment) Act 1995*”.

Amendments agreed to; amended clause agreed to.

Clause 16

Mr HAYWARD (Minister for Education) — I move:

10. Clause 16, line 7, after “document” insert “circulated by, or on behalf of, the president of convocation”.

Amendment agreed to; amended clause agreed to.

Clause 17

Mr HAYWARD (Minister for Education) — I move:

11. Clause 17, line 20, after “document” insert “circulated by, or on behalf of, the chairperson of the board”.

Amendment agreed to; amended clause agreed to; clauses 18 and 19 agreed to.

Clause 20

Mr HAYWARD (Minister for Education) — I move:

12. Clause 20, after line 33 insert —

(c) in paragraph (c) after “Representative Council” insert “Inc.”.

Amendment agreed to; amended clause agreed to; clause 21 agreed to.

Clause 22

Mr HAYWARD (Minister for Education) — I move:

13. Clause 22, line 6, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to; clause 23 agreed to.

Clause 24

Mr HAYWARD (Minister for Education) — I move:

14. Clause 24, line 20, after “University” insert “, whether before or after the commencement of section 24 of the *University Acts (Further Amendment) Act 1995*”.

Amendment agreed to; amended clause agreed to; clause 25 agreed to.

Clause 26

Mr HAYWARD (Minister for Education) — I move:

15. Clause 26, line 12, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

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Clause 27

Mr HAYWARD (Minister for Education) — I move:

16. Clause 27, after line 23 insert —

'(b) in paragraph (g) after "study, of" insert "prior learning, including but not limited to";'.

Amendment agreed to; amended clause agreed to; clauses 28 to 33 agreed to.

Clause 34

Mr HAYWARD (Minister for Education) — I move:

17. Clause 34, line 29, after "document" insert "circulated by, or on behalf of, the Chancellor".

Amendment agreed to; amended clause agreed to.

Clause 35

Mr HAYWARD (Minister for Education) — I move:

18. Clause 35, line 15, after "University" insert ", whether before or after the commencement of section 35 of the University Acts (Further Amendment) Act 1995".

Amendment agreed to; amended clause agreed to.

Clause 36

Mr HAYWARD (Minister for Education) — I move:

19. Clause 36, line 23, after "document" insert "circulated by, or on behalf of, the chairperson of the Board".

Amendment agreed to; amended clause agreed to.

Clause 37

Mr HAYWARD (Minister for Education) — I move:

20. Clause 37, after line 33 insert —

'(1) In section 28(1)(g) of the Deakin University Act 1974, after "study, of" insert "prior learning, including but not limited to";'.

21. Clause 37, line 34, before "In" insert "(2)".

Amendments agreed to; amended clause agreed to; clauses 38 to 45 agreed to.

Clause 46

Mr HAYWARD (Minister for Education) — I move:

22. Clause 46, line 20, after "document" insert "circulated by, or on behalf of, the President".

Amendment agreed to; amended clause agreed to.

Clause 47

Mr HAYWARD (Minister for Education) — I move:

23. Clause 47, page 37, line 5, after "document" insert "circulated by, or on behalf of, the chairperson of the Board of Studies".

24. Clause 47, page 37, line 35, omit "Director of the College" and insert "chairperson of the Board of Studies".

Amendments agreed to; amended clause agreed to.

Clause 48

Mr HAYWARD (Minister for Education) — I move:

25. Clause 48, line 9, before "In" insert "(1)".

26. Clause 48, line 12, omit "granting diplomas".

27. Clause 48, line 12, omit "of" and insert "or".

28. Clause 48, after line 12 insert —

'(2) In section 27(1)(g) of the Victorian College of the Arts Act 1981, after "study, of" insert "prior learning, including but not limited to";'.

Amendments agreed to; amended clause agreed to; clauses 49 and 50 agreed to.

Clause 51

Mr HAYWARD (Minister for Education) — I move:

29. Clause 51, line 30, after "document" insert "circulated by, or on behalf of, the Chancellor".

Amendment agreed to; amended clause agreed to.

Clause 52

30. Clause 52, line 15, after "document" insert "circulated by, or on behalf of, the chairperson of the Board".

Amendment agreed to; amended clause agreed to.

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Clause 53

Mr HAYWARD (Minister for Education) — I move:

31. Clause 53, line 29, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

Clause 54

Mr HAYWARD (Minister for Education) — I move:

32. Clause 54, after line 3 insert —

‘(1) In section 26(5) of the Victoria University of Technology Act 1990, after “Institute” insert “, whether before or after the commencement of section 54(1) of the University Acts (Further Amendment) Act 1995”.

- (2) In section 35(1)(i) of the Victoria University of Technology Act 1990, after “study, of” insert “prior learning, including but not limited to”.

33. Clause 54, line 4, before “In” insert “(3)”

Amendments agreed to; amended clause agreed to; clauses 55 to 57 agreed to.

Clause 58

Mr HAYWARD (Minister for Education) — I move:

34. Clause 58, after line 25 insert —

‘(6) In section 26(5) of the Swinburne University of Technology Act 1992, after “College” insert “, whether before or after the commencement of section 58(6) of the University Acts (Further Amendment) Act 1995”.

Amendment agreed to; amended clause agreed to.

Clause 59

Mr HAYWARD (Minister for Education) — I move:

35. Clause 59, line 33, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 60

Mr HAYWARD (Minister for Education) — I move:

36. Clause 60, line 17, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

Clause 61

Mr HAYWARD (Minister for Education) — I move:

37. Clause 61, line 31, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to; clause 62 agreed to.

Clause 63

Mr HAYWARD (Minister for Education) — I move:

38. Clause 63, after line 8 insert —

‘(1) In section 37(i) of the Swinburne University of Technology Act 1992, after “study, of” insert “prior learning, including but not limited to”.

Amendment agreed to; amended clause agreed to; clauses 64 to 68 agreed to.

Clause 69

Mr HAYWARD (Minister for Education) — I move:

39. Clause 69, line 23, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 70

Mr HAYWARD (Minister for Education) — I move:

40. Clause 70, line 8, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

Clause 71

Mr HAYWARD (Minister for Education) — I move:

41. Clause 71, line 22, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

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Clause 72

Mr HAYWARD (Minister for Education) — I move:

42. Clause 72, after line 31 insert —

- (1) In section 26(5) of the *Royal Melbourne Institute of Technology Act 1992*, after “Phillip” insert “, whether before or after the commencement of section 72(1) of the *University Acts (Further Amendment) Act 1995*”.
- (2) In section 33(1)(i) of the *Royal Melbourne Institute of Technology Act 1992*, after “study, of” insert “prior learning, including but not limited to”.

Amendment agreed to; amended clause agreed to; clauses 73 to 75 agreed to.

Clause 76

Mr HAYWARD (Minister for Education) — I move:

43. Clause 76, line 23, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 77

Mr HAYWARD (Minister for Education) — I move:

44. Clause 77, line 8, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

Clause 78

Mr HAYWARD (Minister for Education) — I move:

45. Clause 78, after line 15 insert —

- (1) In section 26(5) of the *University of Ballarat Act 1993*, after “College” insert “, whether before or after the commencement of section 78(1) of the *University Acts (Further Amendment) Act 1995*”.
- (2) In section 30(i) of the *University of Ballarat Act 1993*, after “study, of” insert “prior learning, including but not limited to”.

Amendment agreed to; amended clause agreed to; clauses 79 and 80 agreed to.

New clause

Mr HAYWARD (Minister for Education) — I move:

46. Insert the following new clause before clause 76:

“AA. Deputy Chancellors

- (1) In section 15 of the *University of Ballarat Act 1993* —
 - (a) or “the Deputy” substitute “a Deputy”;
 - (b) or “and Deputy Chancellor” substitute “and Deputy Chancellors”.
- (2) In section 22 of the *University of Ballarat Act 1993* —
 - (a) in sub-section (4) for “a person to be” substitute “one or more persons to be a”;
 - (b) in sub-section (5) for “The Deputy” substitute “A Deputy”;
 - (c) in sub-section (6) for “the Deputy” substitute “a Deputy”.

New clause agreed to.

Reported to house with amendments.

Remaining stages

Passed remaining stages.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

National scheme legislation

Mr PERTON (Doncaster) presented discussion paper no. 1 on the scrutiny of national scheme legislation and the desirability of uniform scrutiny principles.

Laid on table.

Sitting suspended 12.57 p.m. until 2.06 p.m.

QUESTIONS WITHOUT NOTICE

Electricity industry: SEC privatisation

Mr BRUMBY (Leader of the Opposition) — I refer the Premier to the letter which was sent today to all members of Parliament by the former general manager of the SEC, Mr Charles Trethowan, and four other former SEC managers and which states that the government's proposals for the reform of Victoria's electricity industry will:

... inevitably lead to a significant lowering of operational reliability, increased cost after the franchise period to small domestic, commercial and industrial consumers and a total absence of a properly coordinated expansion of the generating system to the disadvantage of the development of the state.

In light of the letter and of what Mr Terry McCrann has described as a \$3 billion financial disaster for Victoria, will the Premier now cancel his overseas trip so that he can — —

Honourable members interjecting.

Mr BRUMBY — Charles Trethowan, the director of a number of private companies, is saying the reforms are a disaster.

Government members interjecting.

The SPEAKER — Order! I ask the government benches to come to order. I ask the Leader of the Opposition to conclude his question.

Mr BRUMBY — In light of that letter, a damning indictment of the Premier's electricity reforms, and in light of what Mr Terry McCrann has described as a \$3 billion financial disaster for Victorians, will the Premier now cancel his overseas trip so that he can meet with Mr Trethowan and address the crisis that he has created in the electricity industry?

Mr KENNETT (Premier) — As I said on Tuesday and Wednesday — we are seeing it again today — the Leader of the Opposition has obviously done nothing whatsoever during the parliamentary recess. His question today is not based on any research that he or his party has done; it is based on a letter, copies of which have been sent and received as late as today. I congratulate the Leader of the Opposition on his absolutely confirming not only to

members in this house but to the people of Victoria that he would have to be the laziest Leader of the Opposition — this is in fact the laziest opposition — I have seen in this place for 19 years!

Charles Trethowan is a former chairman of the SEC. I know Charles: he is a very nice, pleasant, personable chap. Many honourable members who have a few years under their belts would also know him. One of the reasons we are currently involved in privatisation is that those who were charged with the management of the SEC — both former Liberal governments and, more recently, the Labor government — together with those who had to implement their instructions, messed it up. We not only produced excess capacity — 40 per cent more than we required — —

Mr Brumby interjected.

The SPEAKER — Order! I ask the Leader of the Opposition to remain silent. He has posed the question and he should allow the Premier to answer it.

Mr KENNETT — Not only did we produce 40 per cent extra capacity; we produced it at a cost that was 30 per cent higher than the cost applied in New South Wales and Queensland during your government's term, simply because of the special relationship you had with the trade union movement.

I have not seen the letter signed by Charles Trethowan and those other individuals. It is not the first but the second time they have expressed that view, so it is not new. I can understand the Leader of the Opposition reaching out and grabbing the latest letter that comes into his mailbox. Charles Trethowan and the others are entitled to their views; that is part of the democratic process. However, the bottom line is that the world keeps changing. You cannot keep producing energy in the same way as the SEC did when Charles Trethowan and the others were running it. We now have new technology and new methods, and we are able to reduce the cost to consumers by introducing new systems. In every article that he has written, Terry McCrann has supported privatisation.

Honourable members interjecting.

Mr KENNETT — Thank you, Treasurer. It is important to note that in an interview with Doug Aiton on 3LO on 24 August 1995, Mr McCrann said, and I quote:

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I think it's important not just to be hung up on that first paragraph and it's important to stress up front that I believe that, in an operational sense, the privatisation of the electricity industry is good for Victoria and good for Victorians.

Honourable members interjecting.

Mr KENNETT — I thank my colleague, the Treasurer. That again shows the way in which we cooperate on this side of the house while you continue to make an absolute fool of yourself!

The answer to the final part of the Leader of the Opposition's question about whether I will cancel my trip is no.

Lieutenant-Governor

Mr DAVIS (Essendon) — Will the Premier inform the house of developments in relation to the position of Lieutenant-Governor?

Mr KENNETT (Premier) — Sir John Young has asked to be relieved of his responsibilities as Lieutenant-Governor after serving this state in that position for 21 years. Sir John served Victoria with great distinction during his term as Lieutenant-Governor and prior to that as Chief Justice of the Supreme Court.

All Victorians owe a deep debt of gratitude to Sir John for his long and distinguished public service and to Lady Young for her commitment to public life and for assisting Sir John in discharging his responsibilities professionally and with great dignity.

Sir John's dedication to Victoria and the way he conducted his office earned him the respect of all on both sides of politics. Following his retirement as Chief Justice, Sir John was requested by the previous Premier to continue as Lieutenant-Governor and remained in the post following the change of government in 1992.

I accept Sir John's decision to retire. I have formally notified Her Majesty the Queen, who has accepted Sir John's resignation and terminated his commission, to take effect from 31 August 1995.

Mr Justice Phillips, Chief Justice of Victoria, will act for the Governor as and when required until a new Lieutenant-Governor is appointed. Obviously I will not address the issue of that appointment until I return from my trip.

On behalf of the Victorian government and all Victorians, I wish Sir John and Lady Young a long and happy retirement after very many years of dedicated public service to Victoria.

Rail: derailments

Mr BATCHELOR (Thomastown) — I refer the Minister for Public Transport to the derailment of a West Coast Railway passenger train at Werribee last weekend, which followed the derailment of a passenger train near Warrnambool in April. Apart from those two incidents, will the minister advise the house whether there have been any other derailments in Victoria this year of passenger trains operated either by V/Line or the two private train operators?

Mr BROWN (Minister for Public Transport) — The accident at Werribee at the weekend is under investigation on two fronts and we will await the outcome of that investigation as to the cause of the accident. I recollect there has been one other train derailment, as there were regularly during the full 10 years in office of the former Labor government.

Trains on rail systems throughout the world travel many millions of kilometres each year and accidents do happen and derailments take place. It is not something that has never happened before or will never happen again. Each time a derailment occurs there is a full and thorough detailed investigation as to its cause to determine whether change is needed in the way any procedure is conducted in any area. That is exactly what happened under the former government.

When a man was killed in the Melbourne yards during the time of the former Labor government, that government appointed Mr Kevin Mason to conduct an inquiry into rail safety. We are using the same gentleman to conduct the latest inquiry.

My recollection is that there has been one other derailment. However, I will check and inform the honourable member of the details of any derailments that have taken place.

Electricity industry: privatisation

Mr WELLS (Wantirna) — Will the Treasurer inform the house of any recent developments concerning the privatisation of the electricity industry in Victoria?

Mr Seitz interjected.

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Mr STOCKDALE (Treasurer) — Your inheritance was lost by the last government.

Mr Seitz interjected.

The SPEAKER — Order! The honourable member for Keilor will remain silent.

Mr STOCKDALE — I can assure the honourable member that we have no intention whatever of giving it away; we are engaged in introducing competition and private equity into the industry.

It is important for the house to recall that last month the government announced that Power Partnership, a majority Australian-owned company comprising the AMP Society, the New South Wales state superannuation scheme and Utilicorp, an American utility company, was the successful tenderer for the United Energy business. I am pleased to advise that settlement of that transaction took place yesterday.

An Honourable Member — It's early.

Mr STOCKDALE — It certainly is. It is almost two weeks early and that early settlement represents a saving for the people of Victoria of approximately \$200 000 a day in interest. The settlement was of the capital sum and some \$1.553 billion was paid over in a series of cheques delivered to the government. Initially, as the result of an increase in the state's financial assets, and, in due course, by the paying down of debt, that has the immediate impact of reducing the state's net debt by \$1.5 billion in round terms.

In addition, over the next five years or, if agreement can be reached in the course of continuing discussions, by converting those franchise fees into an up-front payment, the state will receive a further benefit which will be applied to debt reduction and will represent a reduction in state debt in present value terms of \$275 million or in nominal terms of more than \$380 million. That is the largest single reduction of state debt of which I am aware and is a very important development in improving state finances and reducing net debt.

Not only is it a further step toward drawing back from the abyss into which Labor dropped us on our credit rating and the cost of interest on our borrowings in this state, it also represents a significant further improvement in the state's finances, a massive reduction in net debt and a very good beginning to the government's privatisation program.

The reform of the electricity industry is very significant. It is already apparent from the announcements made so far, and from the discussion of its services by the new Power Partnership operators of United Energy, that very significant benefits will flow to electricity consumers — in addition to the reductions in prices that have been occurring over the past two years. Prices have been frozen for the whole of the past two years and will remain frozen throughout 1995-96.

Reductions in real terms will flow through to consumers. By the end of the decade residential customers will have received reductions of 9 per cent in real terms and reductions of around 22 per cent —

Mr Brumby interjected.

Mr STOCKDALE — You won't be here to report on it by 2000. We will certainly have forgotten who 'John Brumbly' was by then.

The company has announced that it proposes to introduce extended payment plans, which will allow consumers to budget for their energy requirements, and energy aid programs, in which Power Partnership will work with welfare groups and charities directly as a supplier to manage the requirements of disadvantaged customers. The company also provides special attention for customers on life support systems.

An honourable member interjected.

Mr STOCKDALE — There are obviously no life support systems over there; there has not been a sign of life for the past three years!

It is proposed to introduce third-party guarantees under which if disconnection notices are sent to disadvantaged customers with special needs a duplicate will be sent to a third party such as a welfare or church agency that can assist the consumer.

For general residential customers infrared scanning services are being introduced so that apparatuses can be identified; special appliance warranties are being provided by the company to give additional protection; there will be improved response time with enhanced field crews, and energy services will be packaged to give greater flexibility in the marketplace.

These reforms involve a massive reduction of state debt. The first major step is not only halting the growth of debt we inherited from Labor but actually reversing it; the second is providing an improvement in terms of greater competition and lower prices for consumers and the third is enhancement of services available to customers, particularly disadvantaged customers who have had a history of difficulty in managing their accounts.

As I said in my response to Terry McCran, this is an all-round win-win outcome for the people of Victoria.

Rail: Violet Town derailment

Mr BATCHELOR (Thomastown) — I direct my question to the Minister for Public Transport. Is it not a fact that there was a passenger train derailment this year, that it occurred near Violet Town on 1 August 1995 when carriage no. BRN52 derailed on the 6.20 a.m. V/Line service between Wodonga and Melbourne, and that this derailment was also caused by a shattered wheel? What action did the government take following this incident to ensure that public safety would be protected and there would be no repeat of this type of accident?

Mr BROWN (Minister for Public Transport) — I said that my recollection was that there had been another derailment. I indicated that in my previous answer. Again, from recollection, I believe the Public Transport Corporation undertook an inspection of all vehicles. The vehicle that derailed at Werribee at the weekend had been in for maintenance and had the particular wheel and other wheels checked three weeks before that derailment. That is far and away an improvement on the situation when the former Labor government was in office. Obviously the wheels of the carriages involved in the derailment at Werribee and all aspects of the carriages of the train are being thoroughly examined.

All fragments of debris from that accident were collected under the supervision of police. A coronial inquest is taking place. My understanding is that every part of the vehicle will be completely reconstructed, and once it is checked it can be determined from what part of the train the items may have come. Even a minor steel fragment would be subjected to full metallurgical tests.

The bottom line is that wherever there is an accident all checks are made. In the case of other derailments the PTC decided to inspect the entire fleet.

Science and technology: government initiatives

Mr ROWE (Cranbourne) — Will the Minister for Education inform the house of science and technology initiatives the government has introduced to improve the quality of learning for all Victorian students?

Mr HAYWARD (Minister for Education) — The government is committed to giving every child the best chance for the future. In this aim, quality science and technology learning is of great importance. The government is committed to giving to children the opportunity of world-class science and technology learning. Science and technology centres are an invaluable resource for students and teachers in this type of learning.

I am pleased to advise the house of the establishment of two new science and technology centres in Victoria. This is the result of proposals made by the Northcote High School and the Casey cluster. The process was that schools located in the northern and the south-eastern growth areas were invited to make proposals to be considered for selection as science and technology centres. Two independent selection panels were set up to investigate each proposal and to make a selection.

The selection panel for the northern growth area consisted of Mr Ivan Deveson, National President of the Australian Institute of Management; Associate Professor Michael Nott of the University of Melbourne; and Mr Steve Macpherson, regional general manager of the Directorate of School Education.

The panel for the south-eastern growth area consisted of Mr Pat O'Riley from ACI Australia; Dr Patricia Vickers-Rich from Monash University; and Mrs Merril Haeusler, regional general manager of the Directorate of School Education.

These two new science and technology centres join four other science and technology centres which have been established by the government across Victoria. Their purpose is to assist advanced learning in science and technology and to provide expertise for students and teachers across Victoria.

They will be equipped in particular with information technology and telecommunications technology facilities. These are very important and will enable them to share their expertise and knowledge with schools in the area and across

Victoria. This is particularly important in what is termed the middle years of learning. A major study is taking place with regard to the middle years, between years 5 and 8. We have been focusing on the early years and have brought forward the important initiative called Keys to Life, which focuses very much on literacy in the early years.

It is important that there be close coordination between primary and secondary schools so far as those middle years are concerned because the division between primary and secondary is in a way artificial. The concept of science and technology and telecommunications systems allows for there to be a sharing of facilities between primary and secondary schools.

Curriculum is important because there are indications that students are looking for a more active approach to curriculum. A key aspect of the centres is their links with local industry. Local firms will play a major part in the development of the science and technology centres. They will make their expertise available to the centres and will provide practical work experience opportunities for students. That follows a pattern that we have seen with most advanced cities and countries in the world.

This will be particularly valuable for students so far as their job prospects for the future are concerned. If students have the opportunity, work experience and their links with local industry, it assists their prospects. This is much better than some of the strange approaches that the federal government is now putting forward which are attempting to turn our secondary schools into CES centres.

A special focus of the Northcote High School science and technology centre — I hope honourable members opposite will be interested in the Northcote proposal — will be wide area networking and curriculum resource sharing with local schools, including primary schools. This is also particularly valuable for the Casey cluster, which draws together five secondary colleges: Cranbourne, Langwarrin, Lyndhurst, Hampton Park and Koo-Wee-Rup.

A special focus for the Casey cluster will be on coordinated professional development for teachers in the five secondary colleges. Extensive work and consultation will now occur on the implementation of the projects.

I thank all honourable members who helped their schools in the development of these proposals. I

especially thank the honourable members for Berwick, Cranbourne and Northcote.

It is important to put this on the record because when honourable members help schools in their electorates they need recognition. The honourable member for Berwick gave strong support to the project in his area, and the assistance of the honourable member for Cranbourne was vital in putting together a consortium of schools in the Casey cluster.

I also pay special tribute to the honourable member for Northcote on the development of the project at the Northcote High School, which reflects his creativity and his in-depth understanding of the importance of the links between secondary colleges and local industry, which benefit students through work experience and future employment opportunities. I thank the honourable member for Northcote for his assistance.

Health: government policies

Mr THWAITES (Albert Park) — I refer the Minister for Health to the recent statements by the member for Mordialloc that he would not blame anyone for being critical of the government's handling of the health system, and that the Kennett government could be damaged at the next election as a result. Is this an accurate assessment of how the minister has mismanaged her portfolio?

Mrs TEHAN (Minister for Health) — The answer is no.

Hospitals: enterprise bargaining

Mr HYAMS (Dromana) — In light of the recently announced wage increases for health workers and nurses in Victorian public hospitals will the Minister for Health inform the house of the importance of achieving the productivity component of those increases?

Honourable members interjecting.

The SPEAKER — Order! I have had to caution the member for Keilor on several occasions. My patience is at an end. If he interjects again I will deal with him.

Mrs TEHAN (Minister for Health) — The honourable member for Dromana raised with me the recent agreements negotiated between the government, the Victorian Hospitals Association, the

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nurses and the health union responsible for the non-direct care workers. In each of those negotiations, and in current negotiations with the Victorian ambulance officers, a productivity contribution has been required. This is consistent with enterprise bargaining across the whole of Australia; it is totally consistent with the consideration of enterprise bargaining incorporated in enterprise agreements where productivity offsets are negotiated.

Mr Batchelor — On a point of order, Mr Speaker, the minister is reading from a document and I would like that document tabled.

The SPEAKER — Order! It is well known in the house that if a minister is using notes or an aide-mémoire, he or she is allowed to do so. Would the minister describe the document?

Mrs TEHAN — I have not referred to a single note, but if the opposition wants a piece of paper —

The SPEAKER — Order! There is no point of order.

Mrs TEHAN — Enterprise agreements automatically require productivity offsets. That is the whole basis of enterprise agreements as understood by Bill Kelty and Mr Keating in all federal negotiations. The enterprise agreements in these cases require 3 per cent productivity offsets from the nurses and 3 per cent productivity offsets from the health services union over a two-year period. These agreements were entered into with the consent of the unions, which were forthcoming in providing examples of productivity offsets, and were sanctioned by the Australian Industrial Relations Commission.

The only person who has raised concerns about productivity offsets is the member for Albert Park. In a recent press release he said that in the past state governments have always fully funded staff pay rises. Under the Labor government we had a budget deficit of \$2.2 billion because the Labor Party and people like the member for Albert Park required all moneys to be paid by the government with no offsets, no productivity agreements with unions, and no give in productivity as required by the Industrial Relations Commission.

The unions negotiated these agreements, put forward productivity offsets and entered into those agreements freely.

The proposal put forward by the member for Albert Park in his press release last week would cost the Victorian taxpayer \$50 million in wage increases for health workers. Those workers have agreed quite voluntarily, in the spirit in which enterprise agreements are entered into, that productivity offsets should and will be found. The government will continue to negotiate with workers for fair and reasonable pay increases based on a contribution of productivity; it will continue to find improved ways of working through these enterprise agreements consistent with both federal and state arrangements, yet the member for Albert Park continues to suggest that the government throw taxpayers' money away. If the Leader of the Opposition is genuine in wanting to bring in continued balanced budgets, as we have now been able to provide under this government, he will certainly have to rein in the member for Albert Park who is just giving away taxpayers' money.

The SPEAKER — Order! the time for questions without notice has expired.

Mr Mildenhall — Mr Speaker, I raise a point of order about a possible breach of the Members of Parliament (Register of Interests) Act 1978, and seek your advice about whether a prima facie case exists for further action both for the benefit of this particular case and for members generally.

On 15 August 1995 the *Dandenong and District Examiner* carried a story entitled 'MP Takes Court Work'. The first paragraph reads:

State member for Berwick Robert Dean last week admitted he was taking work as a barrister —

The SPEAKER — Order! The member is straying into an area that I would rather not hear in the open house. I am advised such a complaint ought to be given to the Speaker in writing and discussed in chambers to see what action can be taken from there.

Mr Batchelor — On your ruling, Mr Speaker, that would apply if you are talking about a privileges matter. The member for Footscray is asking your guidance and direction about a matter of privilege and he should be entitled to make that point. We should at least be in a position to hear it before your making such a ruling.

The SPEAKER — Order! the honourable member for Footscray, with great courtesy, asked for my guidance. I have given that guidance and I have

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given that advice. There is no point of order at this stage.

Mr Brumby — On a further point of order, Mr Speaker, I seek your guidance about the matters that have been raised by the member for Footscray. Would those matters be prevented under the standing orders from being raised during an adjournment debate, and if so —

Mr Kennett interjected.

Mr Brumby — And from the interjection by the Premier the answer is no. I ask: consistent with your ruling why would it be possible for the member to raise such matters during an adjournment debate in the full openness of the house but for him not to be able to raise them now seeking your consideration in a proper and public way in the Parliament?

Mr Richardson — On the point of order, Mr Speaker, the Leader of the Opposition is again revealing his lack of understanding — indeed, his lack of knowledge — of the forms and procedures of this house. From what we understand about the matter raised on a point of order by the honourable member for Footscray, it is not a matter that would properly come within the purview of the adjournment debate.

Mr Brumby — The Premier said it would.

Mr Richardson — The inevitable outcome of the matter alluded to by the honourable member would have been a consideration of whether it was a matter that should be referred to the Privileges Committee. That being the case, there is a well established procedure for raising matters of privilege. I should have thought the Labor Party would have understood that because the same rules apply now as applied for many years during the years of the Labor government. There has been no change.

The fact that the honourable member for Footscray is but a lad in this place and has been here 5 minutes should not be an excuse for the failure of his leader to inform the honourable member about how he should conduct himself.

Mr Cooper — I support the point of order made by the honourable member for Forest Hill. I refer to notes circulated by former Speaker Coghill on 1 October 1990 about matters to be raised during the adjournment debate. These notes will benefit the Leader of the Opposition; I am sorry he has not

bothered to read them before. The former Speaker states:

The purpose of the adjournment debate, which has its origin not in standing orders but in longstanding practice of the house, is to provide members with the opportunity of raising matters of immediate concern. A time limit of 5 minutes ...

He spells out the time limit, and further states:

Matter must relate to government administration and not relate to future legislation ...

It would be clear to the house, and it would have been clear to the Leader of the Opposition had he done even a modicum of homework, that the matter raised by the honourable member for Footscray is not one of government administration but concerns the activities of a member. If the opposition wishes to raise the matter in this house it must do so by substantive motion or, as you have ruled previously, Mr Speaker, by bringing it to your attention in chambers — as the honourable member for Footscray should have done had he followed the forms laid down by this house and the behaviour followed by all members of the house.

The SPEAKER — Order! The subject that the honourable member for Footscray attempted to raise is covered in the Members of Parliament (Register of Interests) Act. I refer to section 9 of that act, which states:

Any wilful contravention of any of the requirements of this act by any person shall be a contempt of the Parliament and may be dealt with according and in addition to any other punishment that may be awarded by either house of the Parliament for a contempt of the house ...

As the house should know, such matters must be referred in writing to the Speaker. In answer particularly to the point of order raised by the Leader of the Opposition about the adjournment debate, if that matter were raised the same ruling would be made by the Chair.

COMPETITION POLICY REFORM (VICTORIA) BILL

Second reading

Mr KENNETT (Premier) — I move:

That this bill be now read a second time.

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This bill is a direct result of the agreements reached on 11 April of this year between the Premiers, the Prime Minister and the Chief Ministers to implement the proposals of the National Competition Policy Review Committee, chaired by Professor Hilmer.

As members will be aware, the proposals of the Hilmer committee are, in essence, to implement a national competition policy.

Under the national competition policy adopted by all Australian governments, all jurisdictions will cooperate to ensure that universal and uniformly applied rules of market conduct apply to all market participants regardless of their form of ownership. In other words, the implementation of the policy will lead to a truly level playing field for all participants in the economy.

The national competition policy is based on a number of related considerations:

first, that a competitive, transparent and open market provides the greatest stimulus for the development of a strong, efficient and innovative economy;

second, that it is far more cost effective for business and government to operate under a national competition regime with consistent rules, rather than a plethora of state specific and industry specific regulatory arrangements;

third, that Australia is, for most purposes, a national market and it is therefore appropriate to develop a nationally consistent approach to competition policy to further integrate the national market, reduce complexity and reduce duplication; and

finally, that to be fully effective the policy must cover every sector of the economy, including government enterprises and utilities. At present the competitive conduct rules in part IV of the Trade Practices Act are of limited application as they do not apply to conduct beyond the scope of the commonwealth's legislative power. The objective of the bill before the house is to expand the application of those rules.

However, before I deal with the matters contained in the bill I will outline for the benefit of the house the elements contained in the national competition policy which are to be implemented in accordance with the intergovernmental agreements.

COMPETITIVE NEUTRALITY

The principle of competitive neutrality requires that government-owned businesses competing with private sector businesses should compete on the same footing: business activities of government-owned bodies should not enjoy any net competitive advantage simply as a result of their public sector ownership. In particular, such bodies should face equivalent taxation and regulatory regimes and similar costs of funds. Implementation of competitive neutrality will involve corporatisation where appropriate, tax equivalent payments by government business enterprises, equivalent regulatory frameworks, debt guarantee fees and general pricing policies. The house will note that this government is already committed to this principle in the context of the reform of government business enterprises.

PRICES OVERSIGHT OF GOVERNMENT BUSINESS

State and territory governments have agreed to consider establishing independent sources of price oversight of state and territory government business enterprises, where such oversight does not exist. In Victoria the Office of the Regulator-General already performs this function in relation to entities in the electricity, water and grain handling industries and is likely to do so for entities in the gas and ports industries. At the same time the Commonwealth Prices Surveillance Act will be amended to permit, in certain circumstances, price oversight of state and territory government businesses. National prices oversight of state government business enterprises may be applied if a state agrees or if it is judged that an effective independent pricing mechanism is not in operation in an area deemed to have significant impact on interstate and overseas trade.

STRUCTURAL REFORM OF PUBLIC MONOPOLIES

The Hilmer committee proposed that public monopolies be restructured to introduce competition into a market traditionally dominated by public monopolies and proposed a number of methods of restructure. Such restructure is even more important if a substantial monopoly is to be privatised. All governments have now agreed upon a set of principles which are designed to ensure that public monopolies are subject to appropriate restructure before they are corporatised or privatised. Compliance with this principle can be seen in the restructure of victoria's major public enterprises.

ACCESS TO ESSENTIAL SERVICES

Access to certain strategic essential facilities may be necessary if a party is to compete in certain markets. These essential facilities will usually be natural monopolies which cannot be economically duplicated — such as the high-voltage electricity transmission grid, to which access is essential if a party is to compete in the market for supply of electricity to customers. All governments have now agreed on a framework for access to services provided by significant infrastructure facilities.

REVIEW OF LEGISLATION THAT RESTRICTS COMPETITION

The Hilmer report found that legislative and regulatory restrictions were among the most pervasive forms of restriction on competition in the Australian economy. These restrictions arise from legislative or regulatory arrangements such as the licensing of particular occupations, the creation of statutory marketing authorities for agricultural produce, and statutory restrictions on transportation of certain goods. All governments have agreed to review existing legislation that restricts competition by December 2000. Thereafter, legislation will be reviewed every 10 years. The guiding principle is that legislation, including regulations, should not restrict competition unless it can be demonstrated that the benefits to the community outweigh the costs and that the objectives of the legislation can be achieved only by restricting competition. New legislation will need to comply from the outset.

The final element in the national competition policy is the element which directly concerns the bill before the house: the extension of part IV of the Trade Practices Act to all persons within the legislative competence of the state.

Part IV of the Trade Practices Act sets out the competitive conduct rules which govern incorporated enterprises. This act draws on the commonwealth's constitutional power to regulate corporations and over interstate trade. Part IV does not extend to unincorporated enterprises which are not involved in interstate trade, nor does it cover state-owned entities or state business activities covered by the shield of the Crown.

This bill deals principally with the application of the competition code to persons within the state's legislative competence and allows for a national scheme to administer the code. The code is created by the Commonwealth's Competition Policy Reform

Act 1995 and essentially consists of part IV as applied to persons rather than corporations as well as the remaining relevant provisions of the Trade Practices Act.

The major functions of the bill are that it:

- applies the competition code as a law of Victoria;

- automatically applies future modifications of the code by commonwealth law within two months of the date of modification unless excluded by order in council;

- applies the Commonwealth Acts Interpretation Act 1901 to the code;

- applies the code to the Crown in relation to each of the Australian jurisdictions in so far as the Crown carries on business;

- subjects the Crown in right of Victoria to the codes of other jurisdictions;

- confers functions on the Australian Competition and Consumer Commission, the National Competition Council and the Australian Competition Tribunal;

- confers jurisdiction on the Federal Court to the exclusion of Victorian courts;

- applies commonwealth laws to breaches of the code; and

- applies commonwealth administrative law to matters arising under the code.

A most important aspect of the bill is that state governments, as well as state authorities which represent the Crown, will now be required to comply with part IV of the Trade Practices Act to the extent that they carry on a business. The term 'business' is defined to exclude certain forms of government activity, including such activities as taxing, licensing and certain forms of compulsory acquisition of primary products. Similarly, transactions between persons representing the same state entity will not be regarded as business.

The functional parts of the bill will come into operation 12 months after the royal assent to the commonwealth's Competition Policy Reform Act — that is, on 21 July 1996. For a year from that date, activities newly subject to part IV of the Trade Practices Act will not be subject to pecuniary

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penalties under the act, although other remedies will apply. All contracts entered into prior to 19 August 1994 which give effect to activity that would offend part IV of the Trade Practices Act will be protected from the operation of the code until they are varied or until they expire.

The house will note that under the commonwealth's Competition Policy Reform Act states retain the power to enact exemptions from the competitive conduct rules of the Trade Practices Act. However, states will be able to exempt conduct only if the exempting law expressly identifies the activity being exempted and refers to the Trade Practices Act. Given the Victorian government's strong commitment to the spirit of competition, a significant case would be needed for exemption to be provided. In most cases it is expected that anti-competitive conduct should be modified so that it ceases to be anti-competitive rather than an exemption sought.

The house will note that the bill is modelled on the act prepared and recently passed in New South Wales. That act was prepared following discussions between the state parliamentary counsel of each of the jurisdictions. It is understood that each of the other states and the territories will also enact application legislation based on the New South Wales act.

I wish to make a statement under section 85(5) of the Constitution Act 1975 of the reasons for altering or varying that section by the bill. Clause 38 of the bill provides that it is the intention of that clause to alter or vary section 85 of the Constitution Act 1975. This provision precludes the Supreme Court from entertaining civil and criminal matters under the competition code other than those which arise under any law of Victoria relating to the cross-vesting of jurisdiction.

The reason for limiting the jurisdiction of the Supreme Court is as follows. The bill, the Competition Policy Reform Act 1995 and the complementary legislation of other states and territories will establish a national scheme for the administration of the competition code of this jurisdiction and the codes of other jurisdictions as if the codes were a single commonwealth law. This scheme will allow the codes to be administered in a nationally consistent way and in the same manner as part IV of the Trade Practices Act 1974 of the commonwealth.

To give effect to this national scheme, the bill and the complementary state and territory legislation will vest jurisdiction concerning code matters in the federal court. This will be to the exclusion of the jurisdiction of local courts other than jurisdiction arising from local cross-vesting of jurisdiction laws. As a result, the codes will be administered as if they were a commonwealth law and in the same manner as part IV of the Trade Practices Act 1974.

It would reduce the effectiveness of the national scheme if the Supreme Court of a state had additional jurisdiction concerning matters arising under the code as such a variation to the scheme will allow the code to be administered in a state in a manner which will not be consistent with the administration of the codes in other jurisdictions.

The enactment of this bill is the first step in the implementation of the agreed national competition policy in Victoria. As members will be aware, the Victorian government has been at the forefront of competition reform since coming to office in October 1992. The government's reforms of state-owned enterprises in the electricity, gas, water, ports and other sectors are aimed at harnessing the positive strengths of competition and imposing ongoing disciplines on utilities to improve performance. The objective of the Victorian government reform program has been to improve the efficiency of these key service industries in order to reduce business costs and increase the overall productivity of the Victorian economy.

The competition policy both complements existing micro-economic reform initiatives in Victoria and provides a broader framework for the pursuit of reform throughout Victoria. It also complements the regulatory and consumer protection initiatives which the Victorian government has put in place as part of its state-owned enterprise reform program — for example, the establishment of the Office of the Regulator-General to promote and safeguard competition and to ensure consumers benefit from competition and efficiency. Other significant initiatives include the implementation of a community services obligations policy, complaints and dispute mechanisms, consumer consultation, service standards and credit management schemes.

Clearly, the Victorian government is well placed to implement the agreed competition policy, and to ensure that Victorians enjoy the substantial benefits of increased efficiency and productivity that are expected to ensue. The Industry Commission has estimated that the full range of national competition

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policy reforms has the potential to bring about a substantial improvement in Australia's standard of living. In March the commission concluded that the implementation of Hilmer and related reforms could lead to a \$23 billion, or 5.5 per cent, per annum increase in real national GDP.

The head of government agreements, the national competition policy and the bill before the house represent a significant achievement for this government and all Australian governments, and for this state and the nation as a whole. These achievements, reached through an unsurpassed spirit of interstate and state-commonwealth cooperation and common purpose, will lead to the dismantling of the private and regulatory barriers to competition and the promotion of competition throughout the economy. As a result, there will be a major boost to the growth prospects of the national and state economies to provide more opportunities for the benefit of all Australians.

I commend the bill to the house.

Debate adjourned on motion of Mr BRUMBY (Broadmeadows).

Debate adjourned until Thursday, 21 September.

HERITAGE BILL

Second reading

Mr MACLELLAN (Minister for Planning) — I move:

That this bill be now read a second time.

The bill contains a consolidated legislative framework for heritage protection in Victoria. It is to repeal the Historic Buildings Act 1981 and the Historic Shipwrecks Act 1981 and replace them with a single, updated act which will also deal with non-Aboriginal archaeology sites, currently covered under the Archaeological and Aboriginal Relics Preservation Act 1972.

Victoria's history can be traced through the archaeological sites, buildings and structures around us. Early sealing and whaling sites, shipwrecks, cottages and grand mansions, goldmining and forestry camps, shearing sheds and factories, corner shops, churches and schools, all are evidence of the events, social customs and common aspirations that give Victoria its unique character.

These places, the objects associated with them, and the stories they tell are a valuable part of our rich heritage, which attracts visitors to Victoria's coastline and countryside, to its historic towns and which makes significant contributions to the most livable city status of Melbourne.

Victoria's social, economic and political future is based on the solid foundations laid by the achievements of its past. A community that does not sensibly balance development with preservation of its significant heritage places or objects risks losing touch with its past and denying itself and future generations the benefits that come from such an awareness.

Victoria is fortunate in that there is strong community interest in protecting evidence of the past. In the early 1970s community appreciation of the value of our history, coupled with concerns about the sudden loss of so many important buildings in the 1950s and 1960s, led to the introduction of legislation and regulations to protect Victoria's cultural heritage.

VICTORIA LEADS THE WAY

The state of Victoria has long been a pioneer in heritage protection. The Archaeological and Aboriginal Relics Preservation Act was among the first pieces of legislation to recognise and provide protection for Aboriginal sites and relics as well as other types of archaeological sites. The Historic Buildings Council was the first government body of its kind in Australia when it was established in 1974. The passage and subsequent operation of the Historic Shipwrecks Act has contributed to international recognition of Australia as the leader in this field.

The bill will implement the commitments relating to heritage conservation set out in the planning statements of August 1993 — 'Planning a Better Future for Victorians' — and 1994 — 'Planning a Better Future for Victorians; One Year On' — for:

a Heritage Council consisting of people with expertise and interest in heritage conservation;

the protection of a broad range of significant places, including buildings, certain categories of objects, historic and archaeological sites, precincts, gardens, cemeteries and shipwrecks;

simplified listing and approval processes which incorporate links to local planning schemes; and

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the provision of incentives and assistance to achieve quality heritage conservation.

The draft proposals for the bill were circulated to interested organisations for comment in 1994. Comment is also to be invited on the bill following its introduction. It is intended that debate in the Parliament on the bill not occur until comments received are considered and any proposed changes are assessed. Passage of the bill would occur towards the end of the session.

At the outset it is important to stress that comparable powers to those proposed in this bill already exist in the current legislation, which also provides similar hearing and appeal rights in respect of historic buildings and places. The proposals of the bill are essentially intended to consolidate Victorian heritage protection provisions in a single updated act, and to make heritage protection processes clearer, simpler and more accessible.

The bill will not affect the operation of the Archaeological and Aboriginal Relics Preservation Act as it applies to Aboriginal archaeological sites and relics, but there may be recognition under the Heritage Act of a place or object which is registered under the Archaeological and Aboriginal Relics Preservation Act where the place or object has a non-Aboriginal cultural heritage significance in addition to its Aboriginal cultural heritage significance.

I shall now deal with the main features of the new framework.

ADMINISTRATION

It is proposed that the 16-member Historic Buildings Council be replaced by a 10-member Heritage Council with membership based on skills and expertise rather than on organisational representation. There will also be a power for the minister to appoint three persons demonstrating understanding of or expertise or interest in heritage matters. The bill provides for the council to include a representative of the National Trust, selected by the minister from a panel of three names submitted by the trust in recognition of its special role in heritage protection.

The council will be able to establish advisory committees as needed. The Historic Shipwrecks Advisory Committee will be retained for specialist advice on historic shipwreck preservation.

The bill will require the executive director and the staff of the council and any other employees necessary for the purposes of the act to be employed under the Public Sector Management Act 1992.

REGISTRATION PROCESS

Currently there are no statutory time limits within which nominations must be considered and over the years a large backlog has developed. A streamlined process is proposed:

the new Heritage Council is to determine assessment criteria for inclusion of items on the register, having regard to the matters listed in clause 7(2) of the bill, such as the historical importance of the place or object;

a person or body nominating a place or object for registration must give reasons why it warrants registration, using the assessment criteria published by the Heritage Council;

the executive director will make recommendations on registrations to the council. The council will make decisions on registrations;

the executive director may refer the nomination to a local government body or the minister for consideration for inclusion of the place in a local planning scheme in accordance with the provisions of the Planning and Environment Act 1987;

any objections to registration proposals are to be considered by the council or a committee of the council;

time limits will apply to decisions where there are no submissions and to objections;

the current rights of owners to be heard are to continue;

the minister will have a call-in power, applying to heritage places and objects including archaeological relics, but not including the remains of a ship or articles associated with a ship because of the distinctive nature of these, such as vesting of ownership in the Crown, the '75 year rolling-date rule' by which all shipwrecks of a certain age are deemed to be historic, and the need for consistency with the commonwealth act; and

places on the register will be identified in local planning schemes so that planning schemes may provide a single source of information for establishing the status of a property.

PERMITS

Currently a permit is required for any alteration to a building or land registered under the Historic Buildings Act 1981, and appeals against the council's decisions are determined by the minister, who may seek a report from the Administrative Appeals Tribunal. The AAT has rarely been used for this purpose.

It is proposed that the bill provide for generic and specific sets of permit exemptions to be given at the time of registration as well as after registration occurs. The exemption in the current act for liturgical changes by churches is to be carried over into the new act. The executive director is to be empowered to decide on permit applications but is to report to the council on all decisions taken. Time limits will apply to decisions on permit applications. It is proposed that the executive director be able to refer applications to a local authority for determination under delegation.

Appeals by the owner or any person with a real and substantial interest against decisions not to issue a permit under this act are to be heard by the council, unless the minister refers the appeal to the AAT for determination. The minister will also have a call-in power. The Heritage Act is to provide no avenue for appeals against decisions made under the Planning and Environment Act 1987.

CONSIDERATION OF THE STATUTORY DUTIES OF PUBLIC AUTHORITIES

The Historic Buildings Act 1981 requires that economic and other considerations be considered, together with heritage issues, when any application for a permit is determined. The bill proposes to apply this provision to both government-owned and privately owned buildings. In addition the bill proposes that in decisions on permit applications by public authorities there also be consideration of the extent to which the application, if refused, would unreasonably detrimentally affect the ability of the public authority to carry out a statutory duty specified in the permit application.

INTERIM PROTECTION ORDERS

The bill will enable interim protection orders to be issued by the executive director or the Heritage Council to protect places while they are considered for inclusion on the Victorian Heritage Register, similar to the provision of this kind in the Historic Buildings Act 1981.

REPAIR ORDERS

The bill provides for registered places and objects which are being allowed to fall into disrepair to be subject to repair orders, similar to the provisions of the Historic Buildings Act 1981. A right of appeal to the AAT is included because an order could impose substantial costs upon the owner and because there is no right of appeal to the AAT at the time of registration of the place or object.

HERITAGE FUND

A heritage fund, which may be used by the council to assist the conservation of Victoria's cultural heritage, will replace the historic buildings fund. All moneys allocated for this purpose from the appropriation for the Department of Planning and Development and fees paid under the new act will be paid into the fund. The fund may be used to assist owners or managers of registered places and objects to conserve these resources, including assistance to undertake necessary maintenance or restoration works. It may also be used to assist local authorities to identify and conserve places or objects within their areas. The Heritage Council is to be subject to the requirements of the Financial Management Act 1994. It is to provide a prospective business plan of its proposed works and operations for the year, as well as an annual report.

GOVERNMENT BUILDINGS

The Government Buildings Register was closed in 1989. Government-owned buildings considered for registration since that time and deemed to be significant have been included on the general Historic Buildings Register.

Although many buildings on the Government Buildings Register have been considered by the Historic Buildings Council and either deregistered or placed on the general Historic Buildings Register, some have never undergone a formal assessment of heritage significance. Accordingly, it is proposed that buildings on the Government Buildings Register should not be automatically included in the

new Heritage Register, but would need to be nominated and considered for inclusion through the new process for registration. Where a building is of obvious heritage significance, there is provision for the Governor in Council on the recommendation of the minister to include that building in the Heritage Register.

The Register of Government Buildings and the provisions applying to it in the Historic Buildings Act 1981 are to be saved for two years from commencement of the Heritage Act. Buildings not registered through the new process in the Heritage Act in that time (or declared to be included in the Heritage Register by order of the Governor in Council) would then lose the protection afforded to them under the saved provisions of the Historic Buildings Act 1981. The government is giving further consideration to this issue and it invites the opposition to contribute its ideas on this matter.

ARCHAEOLOGICAL PROVISIONS

Similar provisions to those operating under the Archaeological and Aboriginal Relics Preservation Act 1972 are proposed for the protection of historic archaeological places and relics. Known occurrences of archaeological relics and places of potential, but undetermined, archaeological significance are to be identified in a heritage inventory. Proposed excavation of these places requires notification to the executive director and there are restrictions on actions which would damage or destroy a place or object included in the inventory or the register. The executive director may direct the excavation or examination of a registered archaeological place and the removal of relics to a place of safe storage.

SHIPWRECKS PROVISIONS

The existing provisions for the protection of shipwrecks have been updated and are incorporated as a separate part of the Heritage Bill, because of their distinctive nature.

TREES AND GARDENS AND MOVABLE OBJECTS

Over the years there has been a growing awareness of the need to ensure the protection of additional items of our cultural heritage such as historic sites, cemeteries, historic gardens and certain types of objects, and the bill will provide this capacity.

The bill also provides for the registration and protection of significant gardens and trees and for movable objects to be included on the Heritage

Register where they have a significant association with a place. This will overcome problems caused by lack of clarity about coverage of items of this kind in the current legislation, which have prevented the registration of some items of conspicuous cultural heritage significance. It is intended that application of the act to movable objects not embrace documents as currently covered by the Public Records Act 1973 nor items lodged in museum collections.

It is important to note, however, that unlike the Australian Heritage Commission, the Heritage Council is not intended to have responsibility for protecting the state's natural heritage assets.

VARIATION OF SECTION 85 OF THE CONSTITUTION ACT 1975

Clause 174 declares the intention of this section to alter or vary section 85 of the Constitution Act 1975 to the extent necessary to prevent the bringing before the Supreme Court of an action of a kind referred to in subsection 104(5).

Subclause 104(5) provides that a civil action does not lie against a person in respect of any action taken by the person pursuant to a notice given to him or her under subclause 104(1). Subclause 104(1) enables the executive director by notice in writing to require a person who has possession of a historic shipwreck article or relic to take specified action for the purpose of conserving, exhibiting or providing access to the article. The rationale for granting this immunity from suit to a person to whom the executive director gives a notice is as follows.

The effect of clause 104 is to transfer the immunity which is currently granted to a person who takes action in pursuance of a notice given to him by the minister under section 16(1) of the Historic Shipwrecks Act 1981 to a person to whom the executive director gives a corresponding notice under the Heritage Act. Accordingly, subclause 104(5) does not introduce an additional limitation of jurisdiction on the Supreme Court.

As honourable members will appreciate, a person to whom such a notice is given should be able to comply with the notice without becoming liable to suit. Under subclause 104(4) a person to whom a notice is given and who does not comply with the notice becomes liable to a penalty of 100 penalty units in the case of a natural person or 200 penalty units in the case of a body corporate. An equivalent penalty provision occurs in section 16(4) of the Historic Shipwrecks Act 1981. The granting of

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immunity from suit in these instances also has the virtue of precluding a situation in which persons may be liable to suit if they comply with a notice and liable to a penalty if they do not comply with the notice.

The heritage places and objects of Victoria form a priceless and finite asset. Victoria will continue to set the standard for protection of its heritage. This bill is an important step in consolidating these achievements.

I commend the bill to the house.

Debate adjourned on motion of Mr LEIGHTON (Preston).

Mr MACLELLAN (Minister for Planning) — I move:

That the debate be adjourned until Thursday, 21 September.

Mr LEIGHTON (Preston) — On the question of time, although the minister has moved that the bill be adjourned for two weeks I note his undertaking during his second-reading speech that he will receive comments from the opposition and that he will not bring on the bill for debate until later in this sessional period. I take it that the government will not bring on the bill for debate in the next week of the sittings in October. Is that the minister's intention?

Mr MACLELLAN (Minister for Planning) (By leave) — It is not my intention that the bill be debated in the week of the resumption of the sittings, but that will depend upon the amount of business before the house. I anticipate that there will be plenty of business before the house, so debate would not be resumed at that time.

Motion agreed to and debate adjourned until Thursday, 21 September.

LOCAL GOVERNMENT (ELECTIONS) BILL

Second reading

Mr MACLELLAN (Minister for Planning) — I move:

That this bill be now read a second time.

The bill is part of the process of the continuing reform of local government and contains important policy initiatives in relation to the number and remuneration of councillors. The bill also makes a number of housekeeping amendments in relation to the conduct of elections.

I turn first to the number of councillors. In February 1995, the Minister for Local Government requested that the Local Government Board undertake a review of the roles and functions of councillors. Such a review was considered both important and urgent given the fundamental changes that have been introduced to the structure and operation of local government. The minister was concerned that councils may not be able to fully realise their potential if the roles and functions of councillors were not better defined within the context of the overall reform agenda. The board in its interim report identified the number of councillors as a key issue.

The legislation currently specifies that a council must consist of not fewer than 9 councillors and not more than 15 councillors. While many submissions on this issue argued for as few as three councillors, the board considered that such a small number would unduly narrow the range of interests that would be represented at the council table and exclude candidates who could not give the additional time that would require of them. At the other extreme 15 councillors was regarded by the board as being too large a number and not conducive to good decision making. Even prior to local government restructuring only one council had 15 councillors.

The bill proposes a range of between 5 and 12 councillors and so recognises the need for flexibility. Each council will determine the number of councillors within the range offered most appropriate to its municipal district. The range was recommended by the board in its interim report and enjoyed widespread support.

The remuneration of councillors was also considered by the Local Government Board as part of its review and was the subject of considerable debate. The legislation currently provides for a council to fix allowances for mayors, deputy mayors and other councillors. Those allowances cannot exceed a prescribed amount. The prescribed amount for mayors and deputy mayors is currently fixed at \$100 000 per annum and the allowance for other councillors at \$3000 per annum.

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The bill provides for allowances for mayors and other councillors to be set by order in council. An order will specify the minimum and maximum amounts that can be paid to councillors or mayors. It will then be up to each council to determine the amounts of the allowances to be paid to its councillors or mayor within the ranges specified in the order. The bill also provides for the payment of allowances to mayors at a level higher than that set for other councillors. In determining the amount of the allowances, a council will be expected to take into account such factors as the size of the municipal district, the number of electors in the district and the functions involved. A council will be obliged to pay each councillor the amount set by the council. A councillor may decline the allowance but must formally state the reason for the decision.

The bill makes separate provision for the Melbourne City Council by providing that the allowance for its councillors and lord mayor may be up to 50 per cent higher than the maximum amount payable for councillors and mayors of other councils. The demands on the lord mayor and other councillors of a capital city are different from those in other councils. The ability to set allowances up to 50 per cent higher for the Melbourne City Council reflects that difference.

I now turn to the position of deputy mayor and the deputy lord mayor. The act currently provides for the election of deputy mayors and a deputy lord mayor. In practice deputy mayors have very limited roles. In any case if the mayor is absent and no deputy mayor has been elected, the council must appoint one of the councillors to act as mayor. The Local Government Board has recommended that the office of deputy mayor and deputy lord mayor be removed. The bill implements that recommendation.

The bill also makes a number of housekeeping amendments to the provisions of the act that relate to elections. They follow extensive consultation with peak government agencies as well as the State Electoral Office, the Australian Electoral Commission and interstate electoral offices. Those bodies also participated in discussions on the proposed regulations which will cover elections by attendance voting as well as elections by postal voting. A regulatory impact statement has been prepared which examines the economic and social impact of the proposed regulations.

The minister will release the draft election regulations together with the regulatory impact statement for public consultation and comment

within the next week. The draft regulations are being released at this time to give councils an overall view of the proposed provisions for the conduct of elections for March 1996 and, in particular, to assist councils in deciding whether to conduct forthcoming elections by the new means of postal voting. The proposed amendments are intended to clarify and rationalise the existing electoral provisions in the act. Certain provisions in the act have been repealed and have been recast in the regulations so that the act will be confined to matters common to all types of elections.

The bill also creates two new offences that relate to postal elections intended to ensure the security of the ballot paper. The first makes it an offence for a person who has agreed to return a postal ballot paper on behalf of a voter not to do so in time for the counting of votes. The second makes it an offence for an unauthorised person to interfere with the electoral materials sent or delivered to each voter in an election by postal voting.

The bill limits the provisions in relation to the retirement of candidates by removing the ability to retire because of ill health or 'any other personal reason'. That ability has been removed to overcome the incidence of orchestrated retirements on such spurious grounds as pressure of work, which have resulted in added costs to genuine candidates as well as councils. Except in the case of a candidate being not qualified or disqualified, the bill provides that a candidate can retire only if the effect of the retirement will be that the election will not be contested. That is intended to encourage and protect genuine candidates.

I commend the bill to the house.

Debate adjourned on motion of Mr LEIGHTON (Preston).

Debate adjourned until Thursday, 21 September.

BUILDING (AMENDMENT) BILL

Second reading

Mr MACLELLAN (Minister for Planning) — I move:

That this bill be now read a second time.

During the second-reading debate on the Building Act 1993 the Minister for Planning made a commitment to evaluate the legislation after one

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year. Included in the evaluation was consultation with the Building Advisory Council, which is set up under the act and which has as one of its prime functions the role of advising the minister on the operation of the legislation.

The Building Act 1993 introduced a number of important reforms. The key reform was the introduction of full private sector competition to the council-based building permit system, which is underpinned by professional liability reforms and a new registration and insurance regime for various building professionals. The amendments in the bill build on those important changes and will further improve the building control system of this state, which has already become the benchmark for the rest of Australia.

The proposed amendments are generally of a machinery nature and will do the following:

- provide a mechanism to standardise fees for the lodgement of building permit documents with councils;

- prevent the temporary occupation of non-complying buildings where temporary occupation is simply an interim step to permanent occupation of a building under an occupancy permit;

- prevent municipal building surveyors from acting as private building surveyors in the municipality which employs or engages them;

- confirm the right of appeal to the Building Appeals Board in relation to emergency orders;

- provide additional flexibility in the preparation of ministerial orders relative to building practitioner insurance;

- give purchasers of buildings constructed by an owner builder access to insurance if there is a structural defect within the 10-year period of liability under the act;

- further specify who the Building Appeals Board can consult before reaching a decision on the modification of regulations;

- recognise the role of councils in building control matters by making them a reporting authority, where there is no reporting authority, for the purpose of entering into an agreement in respect of modifications of the building regulations;

- provide for accreditation of persons from a body approved by the Building Practitioners Board and also enable qualifications to include experience;

- enable the review of a building practitioner's ability to practice where he or she has not held a practising certificate for three or more years;

- provide that a lessee or licensee of Crown land is to pay the building permit levy;

- introduce a threshold for the payment of the building permit levy;

- allow the minister to appoint an additional person as his or her nominee on the Building Advisory Council;

- require a lessee or licensee of Crown land to obtain a building permit;

- standardise the provisions in respect of the improper use of information to all appointed bodies established under the act;

- provide for additional regulation making powers to enable a condition to be placed on an occupancy permit for places of public entertainment;

- provide that where a council or a council officer has failed to inform a relevant building surveyor or the applicant of a consent or refusal in the prescribed period the failure is subject to appeal.

LODGMET FEES

The Building Act 1993 requires copies of building permits and related documentation to be lodged with municipal councils. However, the act does not provide for a lodgement fee. Even so, a number of councils have been charging a fee for lodgement under provisions of the Local Government Act 1989. Some councils are only charging the fee to clients of private building surveyors and not the municipal building surveyor.

This amendment is designed to ensure a uniform, non-discriminatory approach where a council determines to charge such fees.

TEMPORARY OCCUPATION OF BUILDINGS

This amendment will clarify the provision to ensure that a relevant building surveyor can only issue a temporary occupancy permit in a situation where

occupation is not an interim step to permanent occupation under an occupancy permit.

PRIVATE BUILDING SURVEYORS — WHEN THEY MAY NOT ACT

The Building Act 1993 when it was introduced provided a choice to consumers as to where they could obtain a building permit. This amendment will prevent a municipal employee or person engaged by a council from accepting an appointment as a private building surveyor for work carried out within the municipal district of that council. The amendment is being made to the act to ensure that the process is not compromised and to discourage unethical behaviour.

EMERGENCY ORDERS — RIGHT OF APPEAL TO BUILDING APPEALS BOARD

Section 104 of the Building Act 1993 mentions the Building Appeals Board. A question has arisen as to whether this confers a right of appeal if there is a refusal or failure to lift an emergency order. To ensure that there is an appeal right, the act is to be amended to give the board specific jurisdiction.

It is not intended that the service of the order should be a matter of appeal as this would stay the effect of the order and reduce the effectiveness of its emergency status.

MINISTERIAL ORDERS — INSURANCE BUILDING PRACTITIONERS

This amendment will provide additional flexibility in the preparation of ministerial orders relative to building practitioner insurance. To achieve this the provisions will:

- clarify that professional indemnity insurance can be taken out by a company or firm on behalf of individual building practitioners employed by the company or firm;

- refer to category of building practitioner as well as class of building practitioner;

- make provision for explicit powers for the minister to vary the level of excess where an order specifies a particular level, if the minister is satisfied it is appropriate to do so.

INSURANCE — OWNER BUILDER

Building owners have obtained a level of protection not previously available through the registration and insurance requirements under the act. Should there be difficulties with construction a consumer has redress against a registered building practitioner and has the protection of that practitioner's insurance.

That same protection is not available in the case of a building constructed by an owner builder. It could be argued that this places registered builders at a disadvantage and encourages owner builders to use unregistered contractors.

This amendment, by requiring owner builders who sell before the 10-year liability period expires to obtain insurance for the remaining period, will give all purchasers an equal level of protection.

SPECIAL POWERS — MODIFICATION OF REGULATIONS

The Building Act 1993 under section 162 sets out whom the Building Appeals Board must or may consult with before determining an application under section 160. There are instances where the board would need to consult with an authority, which is not a reporting authority, to assist in reaching its determination.

The amendment will enable the board to consult with an authority even when it is not a reporting authority. A party to the proceedings will be able to obtain a copy of the report on application.

MODIFICATION OF REGULATIONS — AGREEMENT

In recognition of the overall supervisory role of councils in building control matters, sections 162, 164 and 165 of the act are being amended to enable the nomination of the relevant municipal council to act in place of a reporting authority in the absence of a reporting authority. Otherwise if a reporting authority is not involved there is nobody to make an agreement with.

BUILDING APPEALS BOARD — ALTERNATE MEMBER POOL

The functions of the Building Appeals Board are such that there are situations where additional expert advice is warranted, such as where there is an absence of members for whatever reason, or where

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through a conflict of interest an appropriate member is unable to hear a matter.

To resolve this problem the amendment will provide for an alternate member pool encompassing people who would be available to act in the place of any appointed member.

QUALIFICATIONS

To streamline the processing of applications from experienced but academically unqualified practitioners, an amendment is being made to specifically include a reference to an accreditation from an organisation approved by the Building Practitioners Board. The board will still consider the application for registration in the same manner as for any other application. The amendment also enables qualifications to include experience.

BUILDING PRACTITIONERS — EXTENDED SUSPENSION

There are concerns that once registered, building practitioners and in particular building surveyors and building inspectors retain the ability to resume practising notwithstanding that they may have been out of the industry for significant periods of time.

It is proposed that where registration has been suspended because of a failure to present a current certificate of insurance for a period of more than three years, the act is to provide that the Building Practitioners Board shall, in the interest of public safety, reassess the ability of that building practitioner to practise before issuing a new building practitioner's certificate to that person.

The board should not be obliged to revoke the suspension unless it is satisfied that the person is of good character and the reasons for the period of inactivity as a building practitioner are satisfactory.

A right of appeal will apply to the Building Appeals Board in the event of a failure to revoke a suspension. Such appeals are relatively inexpensive and the board has the ability to award costs in appropriate cases.

LESSEE OR LICENSEE OF CROWN LAND TO PAY BUILDING PERMIT LEVY

The Crown is exempt from paying the levy under section 217. The Crown's exemption lies in the accepted practice of the Crown not taxing the Crown. As a consequence of the Crown's exemption,

legal advice has suggested that the lessee or licensee of the land also enjoys an exemption. That certainly was not the intention of the legislation.

The amendment will make a lessee or licensee liable for the building permit levy where the building work is on Crown land. This puts a private development on Crown land on an equal footing with a development on private land.

THRESHOLD FOR BUILDING PERMIT LEVY

Under section 201 of the act a levy of 0.064 cents in every dollar of the cost of building work — \$64 for every \$100 000 — applies at the time a building permit is issued. The levy provides approximately two-thirds of the cost of running the Building Control Commission and the related bodies established under the act.

The commission analysed the costs of collecting the levy and found that building work under \$3000 provides only 1.42 per cent of the total levy revenue. Such work, however, comprises 43.03 per cent of total number of data entries. A \$3000 threshold will ensure that the collection of the levy is cost effective.

MEMBERSHIP OF BUILDING ADVISORY COUNCIL

To increase the breadth of advice available to the minister an additional member will be appointed to the council on the minister's recommendation.

LESSEE OF CROWN LAND TO OBTAIN BUILDING PERMIT

The Crown or a public authority is not required to obtain a building permit under part 5 of the Building Act 1993. Advice has been received that the exemption for the Crown carries over to Crown land. Government policy, however, requires government departments and agencies to obtain building permits whenever possible. Any departure from this policy is required to be reported in the relevant annual report. Where a building permit is not obtained the plans and specifications must be certified by a registered building surveyor.

It was never intended that the Crown's exemption would apply to the use of the land by persons other than the Crown. This amendment brings lessees or licensees into line with owners of private land and into line with government policy on the use of Crown land.

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IMPROPER USE OF INFORMATION

The amendment standardises the provisions in respect of the improper use of information to all appointed bodies established under the act in line with existing provisions for the Building Appeals Board.

ADDITIONAL REGULATION-MAKING POWER

This amendment formalises a condition previously required under fire protection regulations made under the Health Act 1958. Regulations made under the Building Act 1993 will enable a condition to be placed on an occupancy permit to require a skilled person be present when a place of public entertainment is occupied. This is a necessary safety item which is supported by the Metropolitan Fire Brigade.

FAILURE TO INFORM

The amendment provides a new avenue of appeal to the Building Appeals Board where there is a failure of a council or an officer of the council to inform the relevant building surveyor or the applicant of a consent or refusal of consent under the Building Regulations 1994 in the prescribed time. This is considered the best option for overcoming potential deadlock situations. A deemed consent approach was not considered appropriate as council assets such as drains are often involved.

The failure to notify provisions will allow the matter to be assessed quickly and inexpensively before the Building Appeals Board, which is an independent technical body. The board will have the power to make an appropriate order, and, as previously indicated, it can award costs. This approach is supported by industry. I commend the bill to the house.

Debate adjourned on motion of Ms MARPLE (Altona).

Debate adjourned until Thursday, 21 September.

PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL

Second reading

Mr W. D. McGRATH (Minister for Agriculture) — I move:

That this bill be now read a second time.

The bill forms part of the government's commitment to ensure that Victorian legislation designed to protect animals from acts of cruelty maintains its leading edge in Australia and is suitable for the task of animal protection well into the next century. The purpose of the bill is to amend the Prevention of Cruelty to Animals Act 1986 to ensure its continued effectiveness in the face of future developments in animal use and management in Victoria. The bill will extend the application of the act and provide further for the enforcement of the act and the taking of remedial action in certain circumstances.

I shall provide some background on the bill and then deal briefly with its major proposals. On 9 September 1993, Mr N. J. Maughan, the member for Rodney, was invited by the Minister for Agriculture, the Honourable W. D. McGrath, MP, to review the Prevention of Cruelty to Animals Act 1986 with a view to determining whether or not the act was a practical and relevant legislative basis for the support of animal welfare in Victoria well into the future. The review confirmed that the purposes of the 1986 act as currently expressed are still pertinent.

It was determined that the encouragement the act provides to animal owners and the animal industries to develop and update codes of best practice is an important principle that should remain. Nevertheless, the review identified some amendments which, if implemented, will ensure that the power of the act will provide for the protection of animals well into the next century. They will enable the act to better relate to public opinion on the question of animal welfare. The review also reaffirmed an existing principle of the act, which is that an inspector's power to enter premises should not extend to the power to enter a person's dwelling place. The bill is the ultimate outcome of the review.

The bill extends the application of the act by adding fish and crustaceans to the definition of 'animal' for the purposes of the act and, for the first time in Victoria, enables a consideration of any cruelty and neglect of those animal species. It is not intended under the bill to intrude on existing commercial practices in the fishing industries. The bill will not apply where those industries are under the control of other legislation or where the practices developed to date are considered usual and reasonable.

The bill will, however, enable the investigation of practices involving fish and crustaceans that many in the community believe need some oversight by

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the state. They include, for example, practices associated with the transport and display of crayfish and the preparation of fish and crustaceans for the table. It is envisaged that the bill will encourage and hasten the development of codes of practice for the use of fish and crustaceans in many circumstances.

An additional beneficial consequence of the addition of fish and crustaceans to the application of the act means that their use in research will have to be considered under the protective provisions of part 3 (scientific procedures) of the act. The community in general has never understood why those animals have been exempt from the provisions of the act. In that respect the bill reflects serious community concern about those animals.

The application of the act has also been extended to such conveyances as vehicles, vessels and aircraft by including them in the definition of premises. The need to be certain that the act is applicable to any of those transport modes follows the addition of fish and crustaceans to the scope of the act, the need to control the carriage of dogs on open-backed vehicles and the extensive volume of the intrastate, interstate and international movement of livestock occurring in the state.

The bill makes some adjustments to the application provisions of the act by removing as a separately specified exemption the slaughter of poultry for human consumption in accordance with the requirements of an established religion. The Meat Industry Act 1993 will ultimately set standards for all animal slaughter that is intended to produce meat for sale for human consumption. Animal slaughter that fails to meet those standards will not be exempt from the protective provisions of the Prevention of Cruelty to Animals Act 1986.

The bill also provides that the act is not to apply to the slaughter on a farm of farm animals for consumption on that farm, provided that the slaughter is conducted in a humane manner. The slaughter will need to be consistent with the principles contained in the Meat Industry Act 1993. The bill alters certain matters in the cruelty provisions of the act relating to the transport of animals. That will afford better protection for the animals concerned by encouraging those responsible for the transport of animals to avoid overcrowding animals or using unsatisfactory means of transport such as car boots.

The changes will require on the part of those responsible a better awareness of the guidelines

contained in relevant codes of practice. Previous problems in the determination, for the purposes of prosecution, of which person or persons had possession or custody of animals subjected to cruel acts or neglect have also been addressed. The cruelty provisions of the act will be modified by extending 'responsibility' to include the owner of the animals as being also liable for certain offences. It will be a defence for the owner if there exists an agreement with another person under which that other person agreed to care for the animal.

The bill will extend the application of the act by adding to it a new provision for the carriage of dogs on moving trucks and trailers. The driving of an open-tray truck or vehicle with trailer on a highway with a dog on the tray or trailer will be prohibited unless the dog is secured so as to prevent it from falling, moving off or being injured by the movement of the truck or trailer. The bill provides an exemption where a dog is being used to assist in the movement of livestock.

The bill introduces the practice of three tiers of enforcement:

- (a) the general, in which the current inspectors are to operate — stock inspectors, RSPCA inspectors, police and local government officers;
- (b) the special, in which specialist inspectors are to operate, who will be persons with appropriate qualifications and who will have less restrictive powers of entry to investigate specifically technical matters of animal welfare on highly specialised animal-use premises whenever the minister agrees that particular investigative action is necessary; and
- (c) the ministerial, in which the resolution of a serious and protracted animal welfare problem is authorised by the minister using procedures which the act will empower him or her to use.

The bill will extend the authority of inspectors with general powers to enable them to:

- (a) free an animal from an entanglement, a tether or a bog — but not from the premises — if one of those encumbrances is causing pain and suffering; and
- (b) inspect an animal observed to be showing signs of disease or injury for the need for treatment by a veterinary surgeon and to

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arrange for the attendance of a veterinary surgeon; and

- (c) enter premises other than a dwelling to destroy animals in circumstances where they are a threat to human or animal life or are distressed or disabled and are suffering.

Those extensions of authority are proposed on the basis of experience in the administration of the act since 1986. There is a need to empower inspectors to enable them to take a wider range of direct action to provide for animals in immediate need of attention. That is because it is typically the case that the person or persons responsible will not take the necessary action or are absent when that action needs to be taken. In those cases where it is apparent that the persons responsible are willing to respond to the need, they will be given the opportunity to do so before the inspector acts.

The specialist inspectors will have the authority to enter particular premises where animals are housed or grouped for the purposes of primary production, exhibition, competition or amusement. They will be authorised to undertake the inspection of the animals and the management practices used in connection with them. This activity will take place only in particular circumstances with the prior knowledge and authority of the minister since the power is principally intended to assist the government in reporting to the community about the welfare of the animals in these kinds of premises.

The judgments to be made by specialist inspectors will require specialised training in animal diseases and management. It is more likely to be the case that persons with the appropriate qualifications for appointment as specialist inspectors will be found among the ranks of government officers or in academic organisations. As a consequence, rather than placing any limitations on the minister as to the suitability of persons, the proposed amendments indicate that any person with the appropriate qualifications may be appointed as a specialist inspector by the minister.

The bill enables the minister to authorise the seizure of animals under the control of a person if the minister is satisfied that they are likely to become distressed or disabled. This authorisation may be considered only where there has been a history of the need for either a general or a specialist inspector to humanely destroy an animal under the control of that person on more than one occasion in the preceding 12 months. That particular aspect of the history of an incident will assist the minister in

determining whether or not the exercise of this authority is warranted. The authorisation can include, if necessary, all animals under the care of the person concerned whether or not they are located on the property where animals have been destroyed.

The remedial action the minister may take after seizing animals is to sell them or arrange for their humane slaughter at an authorised premises such as an abattoir or knackery or a burial pit organised for the purpose. The action to be taken will depend on the particular circumstances of the case. The minister will be required to give the person concerned seven days notice in writing before authorising the seizure. In that period the responsible person will have one last opportunity to remedy the neglect.

The authorisation to seize will not be limited by a need to successfully prosecute the responsible person beforehand. This course of action will stand separately from that of the animal custody disqualification provision already in the act. The seizure of animals under this authority is not an action associated with any punitive measures but one designed to prevent, as quickly as possible, animals from becoming seriously distressed or disabled. The bill also provides for the replacement of separate penalties for first, second and third offences with maximum penalties for an offence. The majority of maximum penalties have been increased.

The bill will substantially improve the capacity of the provisions of the Prevention of Cruelty to Animals Act 1986 to protect animals from cruelty. It will extend the range of animal species protected and give inspectors greater powers — through a three-tiered level of authority — to intervene in incidents, to prevent cruelty and to provide remedial action where it has occurred.

In view of the importance of the bill to the community at large, the government will ensure adequate consultation during its passage through both houses.

I commend the bill to the house.

Debate adjourned on motion of Ms MARPLE (Altona).

Debate adjourned until Thursday, 21 September.

EXTRACTIVE INDUSTRIES DEVELOPMENT BILL

Second reading

Debate resumed from earlier this day; motion of Mr S. J. FLOWMAN (Minister for Energy and Minerals); and Mr HAMILTON'S amendment:

That all the words after 'That' be omitted with the view of inserting in place thereof the words 'this house refuses to read this bill a second time until the proposed regulatory framework is fully known, and that all local government areas have properly elected councils that can respond to the concerns of their residents'.

Mr TANNER (Caulfield) — As the government whip and on behalf of the Minister for Energy and Minerals and the Acting Leader of the House, I thank the opposition for the way it has facilitated debate on this bill and on the University Acts (Further Amendment) Bill earlier today. The government appreciates the way the opposition has facilitated the working of the legislative program this week.

Having made those comments, I have to say that the government rejects the reasoned amendment moved by the honourable member for Morwell because it amounts to the tail wagging the dog. He proposes that institutions created by the government should end up controlling the actions of government. That is not acceptable. The government is known as a can-do government and has set out to improve the prosperity and way of life of Victorians, particularly in the mining and kindred areas. In fact, opposition members indicated by their contributions that the new conservatives are very much like the old conservatives — that is, they agree there is a need for change, but not just yet!

This bill is the second leg of the quinella in the mining and kindred industries area. The community has seen that the government has set out through the Mineral Resources Development Act to create a mining exploration boom in this state that during the course of this decade should lead to greatly enhanced prosperity in the Victorian community. The extractive industries area is nowhere near as glamorous as the mineral resources area; nonetheless, it is an essential industry that is fundamental to the community. Modern communities cannot exist without water, food, and stone for buildings and roads.

As honourable members would be aware, consultation on this legislation began under the previous government and has been proceeding since 1991. I was chairman of a committee of the previous Parliament which initially investigated this area and which reported in 1992. The new coalition government picked up the report in 1993 and referred the matter to a committee of the current Parliament. That committee reported in 1994. The government then went through a community consultation process until, approximately three months ago, the Minister for Energy and Minerals introduced the bill to allow further public scrutiny. The bill is now being debated.

The government rejects the opposition's reasoned amendment. There has been a great deal of consultation and the government believes the community is happy with what is proposed. Let's get on with the second leg of the quinella!

Mr S. J. FLOWMAN (Minister for Energy and Minerals) — I thank the honourable members for Morwell, Bulleen, Altona, Warrnambool, Clayton and Caulfield for their contributions on an important bill for a very important industry. As with the Mineral Resources Development Act, this legislation is intended not just to control the industry but to develop it. If, following experience of its operation, the legislation needs to be finetuned, as has the Mineral Resources Development Act, the government will look at that matter and listen to the honourable member for Morwell and others if they wish to contribute to that process.

I thank honourable members for their bipartisan support of the objects of the bill. I do not have time to go through all the contributions, but I remind the honourable member for Clayton, who talked about the appalling behaviour in sandmining and the lack of rehabilitation and so on, that most of that appalling behaviour took place during the time the former Labor government was in office. He was a member of the former government and should wear a lot of the responsibility for that appalling behaviour.

I turn to the reasoned amendment. I think the honourable member for Morwell would expect me to say, and would probably accept as true, that he is putting a political point of view in the reasoned amendment. He does not think commissioners can do it as well as councillors, and we will have to agree to differ on that matter.

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The reasoned amendment talks about the bill not being read a second time until an appropriate regulatory framework is better known. I remind the honourable member for Morwell that there is plenty of scope for the regulatory framework to be worked out after the bill is passed so that the bill and regulations can be proclaimed at the same time. That process is well advanced. The same process applied with the Mineral Resources Development Bill: the regulations were not completed until 12 months after the passage of the bill. For those reasons the government rejects the reasoned amendment.

The SPEAKER — Order! The time appointed for debate on this bill has expired.

Amendment negatived.

Motion agreed to.

Read second time.

Committed.

Committee

Clauses 1 to 59, schedules 1 and 2 and circulated government amendments 1 to 18 as follows agreed to:

1. Clause 2, line 9, omit "1 comes" and insert "1 and section 60 (1) and (2) come".
2. Clause 5, page 7, after line 15 insert —
 "(4) The provisions of this Act do not apply to or with respect to the extraction or removal of stone from land that is a farm if the stone is intended in good faith only to be used on that farm for the purposes of a dam or other farmworks and not for sale or any other commercial use."
3. Clause 18, lines 21 to 22, omit ", or vary,".
4. Clause 18, lines 23 to 28, omit sub-clause (2) and insert —
 "(2) If the Secretary has determined that a work plan should be varied and consulted the holder of the work authority about the variation, the Secretary may direct the holder of the work authority to submit an application for approval of the variation."
5. Clause 18, line 30, after "plan" insert "or is directed by the Secretary under sub-section (2) to submit an application".
6. Clause 18, page 16, line 10 omit "vary a work plan or".

7. Clause 18, page 16, lines 17 and 18, omit "vary a work plan or".
8. Clause 22, line 18, after "with" insert " — (a)
9. Clause 22, line 20, after "situated" insert "; and (b) if the work authority relates to Crown land, the Director-General."
10. Clause 25, omit this clause.
11. Clause 41, page 32, line 1, after "(1)" insert "(b)".
12. Clause 41, page 32, line 3, after this line insert —
 "(3) A person must not be appointed under sub-section (1) (a) unless he or she has appropriate qualifications, training or experience to manage and oversee the day to day operations of this Act."

NEW CLAUSES

13. Insert the following New Clause to follow clause 22:

"AA. Transfer of a work authority

- (1) The holder of a work authority may, with the consent in writing of the Minister, transfer that work authority to another person.
- (2) The Minister must consent to the transfer of a work authority if —
 (a) the person to whom the work authority is to be transferred has entered into a rehabilitation bond for an amount determined by the Minister; and
 (b) the Minister is satisfied that the work plan relating to the work authority is adequate."

14. Insert the following New Clause to follow clause 59:

"BB. Incidental mining requires licence under Mineral Resources Development Act 1990

- (1) Section 17B of the Extractive Industries Act 1966 is repealed.
- (2) After section 8(2) of the Mineral Resources Development Act 1990 insert —
 "(3) Sub-section (1) applies to the extraction or removal of stone under a lease, licence or extraction permit under the Extractive Industries Act 1966 which would necessarily involve the mining of a mineral."
- (3) For section 8(3) of the Mineral Resources Development Act 1990 substitute —

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- "(3) Sub-section (1) applies to the extraction or removal of stone under a work authority under the **Extractive Industries Development Act 1995** which would necessarily involve the mining of a mineral."

AMENDMENT TO SCHEDULE

15. Schedule 2, page 51, item 4(c) omit "6" and insert "12".
16. Schedule 2, page 51, item 4(d) omit "6" and insert "12".
17. Schedule 2, page 51, item 4(d), after "commencement" insert
" —
and section 26 does not apply to that person if the person applies for a work authority before the end of that 12 month period".
18. Schedule 2, page 52, at the end of item 6, insert —
"7. A person, who immediately before the commencement of section 60(1), has obtained the authority of the Minister under section 17B of the **Extractive Industries Act 1966** to mine and sell any mineral is deemed to hold a mining licence and an authority to commence work under the **Mineral Resources Development Act 1990** and that licence and authority continue in force subject to that Act for such period as the authority under section 17B was granted."

Reported to house with amendments.

Remaining stages

Passed remaining stages.

DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL

Second reading

Debate resumed from 1 June; motion of Mrs TEHAN (Minister for Health).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages

RETIREMENT OF CLERK

Mr McNAMARA (Acting Premier) — By leave, I move:

That this house places on record its appreciation of the valuable services rendered to the Parliament and to the state of Victoria by John Gregory Little, Esquire, JP, as Clerk of the Legislative Assembly, and in the many other offices held by him during his 39 years of public office, of which 27 years were spent as an officer of the Parliament.

John Little has distinguished himself as an exemplary Clerk of the Legislative Assembly. This house has certainly benefited greatly from his strengths as an administrator and manager, and he has set a high standard for those who follow. His clear sense of purpose and personal management style have endeared him to his staff and contributed to the overall effectiveness of this chamber.

After commencing with the Victorian government in 1956 John Little established himself as a capable administrator with the Public Works Department in that year before joining the staff of the Parliament of Victoria in 1968. John was initially the secretary of the Public Accounts Committee, and between 1969 and 1983 he assumed the role of Serjeant-at-Arms as well as being joint secretary of the Subordinate Legislation Committee. In 1983 John was appointed Assistant Clerk and Clerk of Committees. In 1985 John was appointed Deputy Clerk of the Legislative Assembly and in 1991 was appointed Clerk of the Legislative Assembly. John will be remembered for his sense of fairness, the personal rapport he established with his staff and, above all, the professional manner in which he executed his duties within this house.

Outside this house John served with the Citizen Military Forces from 1965, being commissioned as a lieutenant in 1967. He was also appointed a justice of the peace in May 1991. He was honorary treasurer to the Commonwealth Parliamentary Association (Victorian branch) from 1982 to 1991, and assistant secretary of that branch from 1991 to 1995.

We know that John has been an active sportsman, playing both cricket and football, and he was also the founder of the parliamentary gymnasium. He has always encouraged members to make good use of that. I understand he is now favouring golf and fishing, and I am told that he remains an avid angler. I am sure this has had some influence on his

choice of Metung in the Gippsland Lakes area for retirement. I understand John has bought a property at Metung, and he could pick no better spot than what is well known as the Riviera of Victoria. I am sure the honourable member for Gippsland East will be a regular visitor for afternoon tea on various occasions.

John and his wife Helen have my best wishes for good health and success in their retirement.

Mr BRUMBY (Leader of the Opposition) — The opposition joins the government in supporting the motion. Today is the last sitting day in this house for John Little. On behalf of the opposition I wish to place on the record our sincere appreciation of his 39 years of service to the state of Victoria, his 27 years of service to this Parliament and particularly his distinguished service as Clerk of the house since 1991.

In his role as Clerk of the Legislative Assembly John is probably the most impartial and arguably the most respected person in Parliament House. While there are others in this house who have known John and experienced his help and expertise for a lot longer than I as Leader of the Opposition, I, and probably more particularly my staff and the manager of opposition business, have found that John is always very courteous, helpful and, unlike members of Parliament, always correct in the advice he gives.

John transferred from the Public Works Department to the Parliament of Victoria on 19 March 1968. In August 1969 he became Serjeant-at-Arms of the Legislative Assembly and joint secretary of the Subordinate Legislation Committee.

In August 1983 he was appointed Assistant Clerk and Clerk of Committees, and in September 1985 he became Deputy Clerk of the Legislative Assembly.

As the Acting Premier said, in July 1991 John was appointed to his current position as Clerk of the Legislative Assembly. His actual date of retirement, after giving 27 years of service to this Parliament, is 29 September.

The Clerk of the Legislative Assembly is the senior adviser to Parliament on procedures and laws, and is responsible in the Assembly for putting together all the records and proceedings. The Clerk is also the custodian of the records of the decisions of Parliament.

There have been only 13 Clerks of the Legislative Assembly in the 138 years of the Victorian Parliament and, thanks to John, a portrait gallery, and with it a rich history of an essential part of the Parliament, has been compiled.

Because of the extraordinarily long hours the Clerk must spend in Parliament House, over the years many people have wondered how John Little and Clerks before him have been able to keep their sanity. In an interview with the *Age* in April 1994 John gave some insight into how he has been able to remain sane while mixing with the likes of those who sit on both sides of this chamber.

In the interview John said the main credential the Clerk needed was a sense of humour. He said the job involved long hours and that you had to love the place. He went on to say that the basic view we take here is that if you understand that you are seeing history being made every time you are in this place you can keep your sanity.

John worked extraordinary hours. The 1993 article reported that in the last week of the previous session John said he had worked 110 hours on just a few hours sleep. I was not in the Parliament at that time — I did not come in until 18 September — but the hours at the beginning of that session and the last session of 1992 were very long indeed.

As the Deputy Premier has remarked, John Little loves fishing in the high country and he tries to get away at least once a year to indulge in that interest. Another interest John Little has taken up in the past few years — and I am a bit concerned that he seems to have taken up this interest at about the time I was appointed leader of the Labor Party — is martial arts, and that is listed on his CV. I am sure, Mr Speaker, you have known of John Little's martial arts prowess and his former career in the army reserve and that that knowledge has given you greater confidence and surety in dealing with malcontents in this place!

Not only has John Little seen and overseen history being made in this place, he has also been an integral part of that history being made himself. He has given tirelessly to the state of Victoria and over many years he has given tirelessly to this Parliament. He has given, as the Deputy Premier said, exemplary service in every sense of the word. On behalf of the Victorian Parliamentary Labor Party I wish John a long and fruitful retirement on his new property in Metung, and I thank him for his assistance over the years. I am sure he is looking

forward to spending more time with his wife Helen his three children and three grandchildren. We wish John the very best in retirement. I am sure that down there in Metung he will be subscribing avidly to the *Parliamentary Debates*, and if John has any problems sleeping at night he can grab one of those debates and nod off straightaway. John, we thank you for your great service to the Parliament.

Mr S. J. PLOWMAN (Minister for Energy and Minerals) — I am pleased to add a few remarks in support of the motion so ably moved by the Deputy Premier and very well supported by the Leader of the Opposition. As you would know very well, Mr Speaker, when one becomes a Speaker one gets to know the officers of the Parliament perhaps on a level that is rather more personal and closer than most members.

When I became Speaker in 1979 John Little was the Serjeant-at-Arms and I got to know some of his characteristics extremely well. As a very new Speaker, and rather surprised to be elected to that position, I had to come under the tutelage of the then Clerk, John Campbell, who left an indelible mark on John Little, too, in his example as a Clerk. I had to also come under the tutelage and advice of the Serjeant-at-Arms in such things as having to get the right tailored uniform made for the Speaker, which involved going to a tailor at the bottom end of Swanston Street. If you know the bottom end of Swanston Street, you know it is a fairly seamy part of town. John took me through a little arcade, up some steps and past a very adult entertainment place and I thought, 'My God, is this the sort of thing the Serjeant-at-Arms is into?'. I thought he was taking me in there to introduce me to the seamier side of life as Speaker. I regret to say we kept walking and went to see the tailor. However, that was not the end of it.

As part of the official garment of the Speaker the cut-off trousers had to be worn for formal dress with black attire on the legs. Obviously this attire had to be found somewhere so John Little took me down to the Georges stocking counter. When John said, 'I want a pair of black tights for my friend', the girl behind the stocking counter wondered what she had struck. In fact she said, 'I am very sorry, sir, we can't deal with you here, you had better go somewhere else'. A similar situation transpired but at least we got some tights from the ballet suppliers. A parliamentary officer does have a variety of tasks, and John handled that with great aplomb, and I was going to say with no hair on his head — but perhaps he did have some then!

It was mentioned that John has been a great fitness fan and has encouraged members to use the gymnasium. When I became Speaker, John persuaded me of the necessity to have a gymnasium in the Parliament. I went to the then Treasurer and got the grant for the exercise equipment in the gymnasium. We all owe John a lot of thanks — at least those of us who use it. I used to use it but I have become a bit of a backslider. John encourages us to use the gym, and it has been a good innovation. John also has a great love of open spaces, as has been mentioned — fishing, hiking, enjoying the bush, occasional rabbiting on farming properties, as he would remember on my property. Above all, as the Leader of the Opposition and the Deputy Premier said, he has provided very sound, unbiased advice to this Parliament, and as Clerk, Deputy Clerk and Assistant Clerk throughout his period here he has provided first-class and loyal service to all the members of this Parliament in a completely unbiased way.

John, we thank you for those 39 years of distinguished service. I thank you particularly for the relationship we had when I was Speaker and also for the ongoing advice you have given to all members of Parliament and to me since my return in opposition and since becoming a minister. That will be long remembered. I put on record my thanks to you and good wishes to Helen, your wife, in Metung. I know where Metung is; I think you might be getting a visitor.

Mr BATCHELOR (Thomastown) — I join the rest of Parliament today in making some comments in support of the retirement of John Little from this place. As one of the newer members to the Parliament and as a member who has only recently had to take on additional responsibilities in the management of opposition business in this chamber, I have found the assistance John Little has provided exemplary. It is not an easy task at times being responsible for managing opposition business in the Parliament. In starting out my parliamentary career it is a responsibility I did not envisage that I would have to take on, so it is with great appreciation that I thank John for his assistance.

As everyone here would know, John is a straightshooter. You can go to John with an idea, a proposition or seeking advice and you always get good counsel. Sometimes you do not appreciate the outcome but at other times you do. On every occasion I have sought advice on parliamentary procedure, precedent and the rules, it has been exemplary. As everybody knows — perhaps none

more so than a person such as myself in this new area of responsibility — John has an encyclopaedic knowledge of the rules of this Parliament. He knows *May* backwards, he knows the precedent, he knows the fine print, he knows the standard rulings and precedents. It is of great assistance to have someone of his knowledge and experience. When you go to him from the opposition point of view with a request for advice on tactics or the rules, his advice is always straight and honest, and above all I have found it to be correct. Some would say that is the basis of the structural arrangement, because he always gives the same good and correct advice to the Speaker of the day and it would be hard to get a different interpretation.

However, putting that to one side, he has given good counsel. I am appreciative of that counsel, as are members of the opposition. At times it has been hard, at other times it has been good-humoured. I personally thank John. The opposition will miss him as will all parliamentarians. We wish him and his wife Helen all the best in their retirement.

Mr W. D. McGRATH (Minister for Agriculture) — I briefly endorse the remarks made by other honourable members in expressing a vote of appreciation for John Little. I well recall coming to this place very much as a naive and young politician in 1979. John Little and the other officers took the new members through the procedures of the house and introduced them to the legislative procedures. That early grounding was very much appreciated by me and other new members in the 1979 group.

Now 16 or 17 years later John Little is leaving while some stay a little longer! John Little would have seen many sobering situations in this place — some occurred after dinner when some sort of sobering sentiments needed to be introduced into the proceedings! He has seen some humorous incidents and endured some tedious speeches. I think Jim Simmonds, a former member for Reservoir, might still hold the record for the longest speech. He started at about 1.30 a.m. and continued until about 5.00 a.m. It was a good speech, but he repeated everything about four or five times!

I also thank John Little for the establishment of the gymnasium. Along with many other honourable members I have enjoyed the opportunity of using that facility. Had it not been for his foresight and his own interest in maintaining a reasonable fitness level, the gymnasium may never have been established.

I notice that John and his wife are retiring to Metung. Although I can understand his reasons because it is a pleasant place, I thought he might have gone to the Grampians where the fish are bigger and the water is deeper. However, if he prefers to go east rather than west, so be it. I thank John Little for his assistance.

I came off the proverbial interchange bench this week to act as the Leader of the House while Phil Gude was in hospital recovering from an operation. Therefore, on behalf of Phil Gude, I express appreciation to you, John, for the way in which you interacted with the Leader of the House and the honourable member for Thomastown, the manager of opposition business, to ensure that the business of the house ran well and that the procedures were followed in accordance with the rules. In conclusion, I say to you, John, 'Well done'.

Mr SANDON (Carrum) — I also wish to make a few remarks about John Little and to wish him well in his retirement. Since 1982 I have known John in a number of roles and from a number of different perspectives. As the Minister for Agriculture said, we first met in 1982 when we attended this place to receive a briefing on the rules of parliamentary debate. That was an eye-opener to us all!

I have had the good fortune of working with John in a number of places: in another place; as a backbencher; on parliamentary committees; as a cabinet minister; as a shadow minister; and, I think, for a while as a backbench member in opposition. In other words, I have known John from a number of perspectives in a number of different roles.

I have always enjoyed working with you, John; it has been an absolute pleasure. You gave advice without fear or favour but, most of all, there has always been room for a joke over a cup of coffee about some of the things we shared, including the impossible dream we both share — that is, trying to perfect a golf swing!

John plans to retire to Gippsland. I thought of you, John, when I was recently looking at Victoria's weather maps. It has been warmer in Gippsland than throughout the rest of Victoria and I understand why you have chosen to live in that part of Victoria. The weather will be warmer, there will be more water and exercise for you down there and you will also be able to engage in your other love — fishing.

Knowing that you enjoy a good red, John, the only thing I cannot fathom is that I was under the impression the wineries down there were not that good! However, you will certainly get good advice from other people, and even a former Premier will support you in that regard.

One of the joys of coming to this place is that you get to meet some very interesting people or — dare I say in some sense — characters. Part of the joy of coming here is the staff you meet and whose company you enjoy as they provide support to members of Parliament. We have staff inside and outside this place — door staff, garden staff, House Committee staff and others I meet frequently and whose company I enjoy. We are always able to share good humour and a joke. John, you have always been one of those people and I will miss you. I wish you well in your retirement and in your golf and fishing expeditions.

Mr HAYWARD (Minister for Education) — I join with my parliamentary colleagues in thanking John Little very much for his help. John's departure will be a great loss for this Parliament. Like other members who have spoken on this motion of thanks I have been greatly impressed by John's professionalism and his extraordinary knowledge of parliamentary procedures. It has been a real joy working with you, John. One of the joys has been that you knew that when you asked John for advice, you could rely on it with total confidence; you never had to think about it again. That is a wonderful and real thing.

One of the criteria of a person's greatness is the respect accorded by one's peers in a range of areas. I have had the opportunity of meeting parliamentary officers in other parts of Australia, including Canberra, and, indeed, the United Kingdom. It is a universal theme that people speak of John Little with respect. That is very high praise indeed and a credit to him.

I know his life — particularly in his present task — has been demanding. We have all been very well served and we all owe you, John, a debt of gratitude for your commitment and contribution to this place. We will remember you well. We will miss you greatly, John, and I would like to join with other members of this place in again saying thank you, John, for all that wonderful help. I wish you the very best of good wishes for a long, happy and healthy retirement.

Mr RICHARDSON (Forest Hill) — I am pleased to be associated with the tribute being paid to John Little on his retirement after 27 years of service to this Parliament. The office of Clerk is ancient, honourable and exceedingly onerous. John has carried on the tradition of Clerks that has been established over many years. He has performed his duties and his service to this Parliament and its members with great distinction.

The office of Clerk requires its holder to be totally impartial and to provide fearless advice to whoever seeks it. It also requires absolute confidence on the part of members about the confidentiality of any conversation that may be held with the Clerk and confidentiality on the matters raised and the advice given. In all the years Mr Little has served this place he has kept to that tradition. Members from both sides of the house have sought his advice and have received that advice, which has always been correct. There has never been a question of any breach of the confidentiality which is fundamental to the relationship that exists between a Clerk and the members of the house.

I know you, Mr Speaker, would have benefited greatly from the advice provided to you in your high office by the Clerk and in the person of Mr Little; that advice would have been fearless and, invariably, correct.

Reference has been made to Mr Little's interest in sport, but there has been one serious omission from the list of his many interests, and that is the sport of harness racing, an interest we share. I regret that I have not had an interest in some of the horses he has owned; I am equally grateful, on the other hand, that I have not had an interest in some of the horses he has owned.

He has served this Parliament with great distinction for many years. He has earned the respect of all members over those years, and I congratulate him on his record and wish him well in his retirement.

Mr STOCKDALE (Treasurer) — I would like to add one thing to the tributes that have been paid to John Little: he has been the Clerk for most of the time I have been a member of this house, and I am very grateful for his cool counsel. This job is a little unusual and when the Clerk has the greatest demand on him to be clear, cool and calm and not to become involved in the hurly-burly of the house that is the moment of greatest stress. It is a credit to John Little that during times when circumstances have been difficult for the Speaker and both sides of the

house he has sat there calmly giving impartial and invariably accurate advice, serving the house very well at its time of greatest need. I wish him well in his retirement and hope he keeps hitting them very long and straight!

Mr STEGGALL (Swan Hill) — I would like to add my word of thanks to John Little, to congratulate him on the manner in which he has carried out the task of Clerk of this house for so many years and to wish him well in his retirement.

The Treasurer mentioned the hurly-burly and heat of Parliament. I can remember one evening in 1989 when a little fluster came across John's face at about 11.30 when we were debating the infamous water bill. We were about to deal with approximately 700 amendments when the Clerks said, 'Mr Speaker, may we have time off to do the paperwork?', and we adjourned for 2 or 3 hours while the Clerks caught up with the many amendments. It was a fascinating evening and one we appreciated very much. The Clerks put in a prodigious performance that night dealing with all those amendments, and the number of changes we had to make after that was very few.

I add my thanks for his guidance, good counsel and assistance, particularly since I have looked after getting the legislation in, and I appreciate the work he has done to help me in that task, as well as his good counsel and friendly attitude. I wish him well for the future.

Mr REYNOLDS (Minister for Sport, Recreation and Racing) — I would like to add my remarks to those of all the previous speakers today. Mr Little was a constituent of mine until he saw fit to move to eastern Victoria, and I wish him and Helen every enjoyment in their retirement. I know the gymnasium may not get quite the attention the golf course will!

But beyond all that, while everybody has spoken of John's impartiality and ability to assist, provide great counsel and be a mentor, from my point of view — he lived in my electorate for almost all the time I have been here — it should be recorded and recognised that he has always been available to talk to community groups and service clubs on the processes of Parliament in a fair, unbiased way, as naturally you would expect — except that when I am in the audience he talks about his being the permanent one and my being the temporary one, and that is true.

He has been a great community-minded person and a great help to Sunbury and Gisborne. Whether it be at the golf club at Gisborne, where he was the captain and held other offices, or elsewhere, he never just enjoyed taking the fruits of membership, he always put a little back into the club or organisation. That was true of organisations his children were connected with when they were growing up and going to school in Sunbury and in Kyneton and, beyond that, the Gisborne fire brigade. We will miss you, John, but we wish you well.

Mr COOPER (Mornington) — I wish to add a tribute on the service of John Little to this Parliament. In doing so I draw the attention of the house to the fact that when I came here in 1985 the Clerk of the house was John Campbell, who retired a year or so later and was replaced by Ray Boyes who was replaced by John Little. These men had been Clerks at this place for a long time, and suddenly within the space of a few years we have lost two more Clerks. That says something about the quality of the Clerks or something about the quality of the membership of this house. I prefer to think it might be the latter rather than the former!

The way members of Parliament are elected and have to conduct their lives tends to make them somewhat introspective. We tend to see things from our point of view. Our horizon is usually a four-year one that extends from election to election. As we go through the stresses and strains of life as members of Parliament we tend to forget that our actions have effects that flow on to others. Although we may think the pressure is on us when Parliament is sitting, the pressures we impose on the Clerks are probably unknown to us. All members should appreciate that our actions have a flow-on effect, and the people who bear the primary brunt of those actions are inevitably the Clerks of this house.

I have appreciated the fair and impartial advice I have always received from John Little and his colleagues. His help will be missed by me and I am sure by all other members. One other time when I will miss John Little is at breakfast when the house is sitting. The Breakfast Club, as we have called it over the past six or seven years, has by and large dropped in numbers, but in recent times it has shrunk even more and in the sitting week it has come down to two or three old stagers — John Little and Robin Cooper being two of them — joined by a couple of others. I could always be sure that if I came to breakfast at about 8 o'clock in the morning, if I was not first, I would be immediately behind John Little.

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We were both always there at breakfast. Apart from anything else, I will miss John Little for that.

But he will be enjoying his fishing and his golfing with his new set of Cobra clubs, which I hope work well for him, and all the other things he will be doing in Gippsland. I wish him well and he and his family good health.

The SPEAKER — I join with the Deputy Premier, the Leader of the Opposition and other honourable members in paying a tribute to John Little. As the Minister for Energy and Minerals has said, there is a very close association between the Speaker and the Clerk, and the Speaker has to rely very heavily indeed on the advice, integrity and honesty of the person who holds that office.

As other honourable members here have said, John's impartiality in giving advice to this institution and its members has been absolutely exemplary. I used to smile to myself when I heard some conversations. I would know he had given the government certain advice, and then he would advise the opposition, ignoring the advice he had already given to the government.

His advice was completely without fear or favour, without bias. That is something only peculiarly strong characters can bring to the job.

John has a great respect for the institution of Parliament as well as its members. The institution of Parliament is close to his heart. He is always mindful of the traditions of the Parliament and the appearance the Parliament has to have in a democratic society.

Mention was made of the terrible time we suffered in 1992, when the house sat terrible hours. It is strange that two developments have emerged from that. The strain on the health of members and, indeed, on the health of the Clerk — as honourable members know, he fell ill on the last day of those three sitting weeks — led to the Clerk being approached on how we could overcome the terribly long sitting hours.

The form we use now, whereby the business program is agreed to by the house virtually without exception, was masterminded by the Clerk, Mr Little. He did a tremendous amount of research and prepared a number of drafts in putting up a scheme acceptable to both sides of the house that would prevent the stresses of working long hours. I am sure all honourable members would join with

me in expressing our gratitude, because in recent times we have enjoyed more civilised sitting hours compared to those we had in 1992.

Another interesting development arose from the 1992 sittings. As I have mentioned, it is well known that the Clerk was stressed after that three-week session. He looked so very miserable at the time. I am a little short of words! The sitting left him looking 'stressed out'. I was so sorry for him that I said, 'Here are the keys to my fishing house at Metung. Why don't you take off a couple of weeks?'. He did. He fell in love with Metung, and he bought a very nice house there. I have seen it; it has more lawns than Government House! How he will cut them, I do not know. I suppose that will give him plenty of exercise.

Mr Stockdale interjected.

The SPEAKER — His wife Helen no doubt will cut the lawns.

Mr Little has a couple of other attributes I envy. He has a marvellous ability during boring speeches from both sides of the house to sleep with his eyes open. There must be a magic spot somewhere near where the honourable member for Mordialloc is standing now. John focuses his eyes on that spot and is away with the birds. The platypus has the ability to close its ears when it dives into the water; I am sure the Clerk has the ability to close his ears and let some of the words uttered pass by him.

I am grateful to the house that it saw fit to pay such tributes to John Little. As under the standing orders he is unable to respond, I do so on his behalf. I am sure he is touched that the house has put aside this precious parliamentary time; I am sure he is flattered and humbled at the words offered by both sides of the house. I suggest we express our gratitude by acclamation.

Motion agreed to.

Remaining business postponed on motion of Mr W. D. McGRATH (Minister for Agriculture).

ADJOURNMENT

Mr W. D. McGRATH (Minister for Agriculture) — I move:

That the house do now adjourn.

Learning assessment program

Mr SANDON (Carrum) — Does the Minister for Education have full confidence in the learning assessment program (LAP); does he believe it is educationally sound; and is he prepared to express full confidence in the organisation that has designed the test?

The government and the education minister have introduced to our school system nothing more divisive than the LAP. It has put parents against parents, parents against teachers, principals against principals, principals against teachers, and school community against school community. There continues to be nothing more divisive to this day — and the government has introduced so many divisive measures.

LAP is something the minister wanted to introduce. He pushed and bullied and his parliamentary secretary endeavoured to ensure that all schools were involved. They blackmailed and they cajoled the schools. They did everything they could to ensure that it was introduced.

This week independent observers have undertaken an overview of LAP from a mathematical and literacy perspective to assess its value, and they have found it wanting. They suggested that it lacks credibility because it is not a true and accurate reflection of how children learn, and they also suggested that the way LAP was delivered to parents has not helped them understand how their children learn. The independent observers have so severely criticised the LAP test that I suggest it should be revamped.

Does the minister still have confidence in the test? Will the organisation that designed it continue to work on it? Will it continue to formulate the test? Will its contract be renewed next year? Can the minister assure the house that the LAP test is educationally sound?

Frankston Freeway: sound barriers

Mr McLELLAN (Frankston East) — I ask the Minister for Agriculture to direct to the attention of the Minister for Roads and Ports the installation of sound barriers along the Frankston Freeway. Work funded by the minister during the past financial year has been completed recently, and in a survey local residents who live along the freeway expressed their appreciation of that work. They appreciated the barriers from both the safety and noise perspectives.

However, much of the freeway does not have barriers.

The section between Frankston-Dandenong and Seaford roads and north of Seaford Road is yet to have barriers erected. I was recently in the area with a local resident and it appears that a similar situation occurs north of the Frankston-Dandenong Road intersection, where there is a pedestrian overpass. I believe the cost of the construction today would be approximately \$2 million. It passes over the width of the freeway and provides people with a safe crossing, but local people have seen fit for reasons best known to themselves to cut holes in the fence alongside the overpass to allow them to cross the freeway.

One wonders at either the mentality or the fitness of these people — perhaps they are unable to walk up the ramp. The only way to cure the problem is to install more sound barriers of sufficient height to deter people from crossing the road.

What they are doing is a dangerous practice that should be brought to the attention of the media and local residents. The residents to whom I have spoken are in a similar predicament to householders who reside along other freeways — the edges of their houses are within 5 metres of the tarmac section of the Frankston Freeway.

I ask the minister to install more sound barriers along that section of the freeway given the barriers have the dual role of safety fences and reducing the noise of cars and trucks travelling along the freeway. Some sections of the freeway are not in my electorate, but I raise the issue because no amount of money saved is worth the life of a young person.

Upper Goulburn: tree clearing

Mr THOMSON (Pascoe Vale) — I direct the attention of the Minister for Natural Resources to the clearing of 60 trees along the bank of the Goulburn River near Molesworth. The clearing of these trees is a concern for all Victorians, especially as there is a significant koala habitat in the area. The Department of Conservation and Natural Resources has apparently approved the clearing of the trees. I am concerned that the department describes the trees as young saplings when some of them are 2 feet in diameter. I believe an enlightened approach to river management would require the retention of stream-side vegetation rather than straightening the bend of the river.

I understand lack of funding is the reason why the department has adopted a scorched-earth policy along the banks of the Goulburn River rather than the more expensive environmentally sensitive works.

Local residents have expressed concern about the prospect of the mature river red gums being bulldozed, with the loss of the koala habitat, as a result of the flood mitigation works proposed to be carried out by the Upper Goulburn Waterways Authority. I am concerned that the Murrindindi shire has granted a works permit for the clearing of the trees without advertising for public objections.

Local people are concerned about the proposal to bulldoze the trees. It appears that the department, in giving approval for this proposal to go ahead, does not understand the significance of the trees. Its description of them as saplings is inaccurate. Against that background I ask the minister to investigate the position his department has taken and, if appropriate, to organise an alternative method of dealing with the problem. It is evident that the installation of a rock wall would produce a better outcome than the one presently proposed by the Upper Goulburn Waterways Authority.

Monash Medical Centre

Mrs PEULICH (Bentleigh) — I direct to the attention of the Minister for Health the Monash Medical Centre, which is a major hospital serving my electorate and a number of surrounding electorates. Over some months, and certainly over the parliamentary recess, our local papers have fairly keenly run a series of articles on the Monash Medical Centre based on some unpleasant experiences of a small proportion of people — certainly a small proportion given the total number of people treated at the hospital.

The articles have created some anxiety in the community, especially in my electorate which has a large number of aged constituents, it being the fourth highest in the number of people aged over 65. Many constituents who have required urgent care have commended the hospital and the care they have received. Nonetheless, a small number of genuine concerns have been fully investigated and, unfortunately, in some instances found to have been avoidable.

A small number of people have spoken to the press and a small number have contacted their local MPs, not so much about the treatment they have received — in fact they have gone out of their way to

say it was good treatment — but to make a political point.

As a team of local, hardworking MPs, we have endeavoured to meet with departmental staff, ministerial staff and the CEO of the Monash Medical Centre. Recently we sought an appointment with the health care network chairman to discuss the concerns that have emerged. I suspect that many of the problems faced by the hospital have been caused by the amalgamation initiated by the Labor government in 1986 involving the Queen Victoria, Prince Henry's and Moorabbin hospitals and the Monash Medical Centre. In fact, the closure of the casualty department and many of the problems we still see now were experienced following that amalgamation and are largely evolutionary in nature.

I shall quote from an internal document given to me in 1991 by Mr David Edley from the Monash Medical Centre's emergency department dated 9 December. In forecasting the closure of the emergency department, it says:

For these reasons, the emergency department at Moorabbin campus should either be closed or replaced with a different type of unit ...

These changes should occur after all adult beds have opened at Clayton because at present there is a critical bed shortage at Clayton and the emergency department is choked with patients awaiting beds. Some patients spend two or three days in the emergency department and their presence severely limits the department's ability to accept new urgent patients.

These problems have been longstanding. I ask the minister to clarify and investigate what practical measures can be taken to alleviate not only some of the problems that the hospital has been experiencing over some time, but also to alleviate community concerns. I hope the local press will report on the matter.

Respite care: western suburbs

Mr BRACKS (Williamstown) — In the absence of the Minister for Community Services I direct to the attention of the Minister for Agriculture who is at the table a matter concerning the state of respite care in the western suburbs. In particular I shall refer to a report a Yarraville constituent, David Toms, sent to me. The report is a draft from the minister's department — namely, recommendations from the

respite review of August 1995. It was sent to parents in my electorate and across the western suburbs.

The draft report is quite disturbing if you look at the comparisons between regions and what support is given to respite care across Melbourne. For example, if you look at the western region of Melbourne, you will see it has about 159 000 children — that is, 20 per cent of children in the metropolitan area live in the area and yet it receives funding for only 4.9 per cent of beds. The report is suggesting it should receive a notional allocation of 21 per cent. I shall set out the comparison with the other regions: eastern region, 50 per cent of beds and a notional allocation of 29 per cent; northern region, 22 per cent of beds and a notional allocation of 20 per cent; southern region, 23 per cent of beds and a notional allocation of 31 per cent.

Clearly Mr Toms has a legitimate concern when only 4.9 per cent of the beds in the metropolitan area — or only five children beds — are provided in Melbourne's western suburbs. Mr Toms was driven to take up the matter with me and I in turn would like the Minister for Community Services to investigate whether there should be a redistribution of respite care beds in the metropolitan area in favour of the western suburbs given the current small provision in that region.

Mr Toms's concern is expressed best in a further note to me where he says:

The issue is one of fairness, balance and equality. The children and young adults (under 18) that are affected are unlikely to ever vote for you. That's not an excuse not to try and help them. Because they are intellectually disabled they probably will not ever vote for anyone. They cannot mount campaigns for their cause, they cannot organise petitions. In fact they can do very little for themselves.

He obviously wants me to raise it in the house.

They need you, they need you to ask the hard questions in Parliament. Are you prepared to help them?

I ask the minister: who is in a position to help? What about the inequity involved in allocating only 4.9 per cent of the beds to the western suburbs when a draft report prepared by the minister's department says that 21 per cent of the beds should be given to the region? My constituent —

The SPEAKER — Order! The honourable member's time has expired.

Goulburn-Murray: water diversion

Mr KILGOUR (Shepparton) — I direct to the attention of the Minister for Natural Resources the problems that have come to light this winter in the Goulburn Valley as a result of various land-holders diverting water from natural watercourses.

When Parliament rose at the end of the autumn session Victoria was experiencing a drought. During the three-month recess the state had its wettest winter for some time. In those three months more than 11 inches of rain fell in my electorate, well over half the rain we normally get in a year. This has caused problems in the Goulburn Valley, where laser grading has caused massive changes in the way water is diverted from and runs off properties. Water now runs off properties and goes to particular spots more quickly than it did in the days before laser grading.

I ask the minister to examine the situation. As I understand it, the Water Act says that land-holders must not put banks across natural watercourses and that anyone affected by it can take the people who did it to court. I made representations on behalf of a number of land-holders to officers of the Rural Water Corporation — or Goulburn-Murray Water as it is now known. The officers said they would not become involved unless a bank affected a structure that belonged to Goulburn-Murray Water. I also talked to local council officers, who said they would not become involved unless the diversion of water led to problems with a shire road.

There is a problem with one case in particular. A land-holder has put up a bank which is about 1½ metres high and which has backed water onto the property of another land-holder and right into his yard. The affected land-holder cannot afford to employ legal counsel but if he loses the case he will lose his farm. The diversion of water onto other people's properties is having serious consequences. I ask the minister to review the Water Act to see whether land-holders can be given some way of dealing with the situation caused by water being backed onto their properties as a result of the construction of illegal banks.

Taxis: driver licences

Mr HAMILTON (Morwell) — I raise a matter for the attention of the Premier in his self-appointed role as Minister for Taxis. On this morning's radio the Premier said that any taxidriver found smoking on the job for the third time would lose his licence. The

issue I raise is far more serious than that, and I ask the Premier to take note of the situation.

I refer to a series of letters written by a Ballarat constituent and various ministers concerning Alan Theodore and his being a suitable person to continue to hold a taxidriver's licence. Part of a letter written on 21 September 1993 by Mr Baxter, the Minister for Roads and Ports, says:

Mr Alan Theodore

Police records reveal Mr Alan Theodore was convicted at the Melbourne County Court on 1 February 1986 — —

Mr Coleman — On a point of order, Mr Speaker, the matter being raised clearly concerns the administration of the Minister for Roads and Ports, whom the Minister for Public Transport represents in this house. I understood the matter was to be raised with the Premier. It would be more appropriate if it were directed to the attention of the Minister for Public Transport, given that he handles matters such as this on behalf of the Minister for Roads and Ports.

The SPEAKER — Order! I uphold the point of order. I will take it that the member has been addressing and will address his remarks to the Minister for — —

Mr HAMILTON — The matter is terribly serious; let's hope we get a good response. This person was convicted of eight charges of armed robbery. He was also convicted in the Magistrates Court at Ballarat on 5 February 1987 of 43 charges of imposition, for which a maximum sentence of four and a half years was imposed. Vicroads was aware of the convictions and its officers interviewed Mr Theodore and his employers at length. The current regulation states that no-one with a conviction punishable by a prison sentence of six months or more can hold a taxi driver licence, yet these were more serious convictions.

Another letter advises that the Minister for Roads and Ports had indicated to the honourable member for Ballarat East that there was no problem with Mr Theodore holding a taxi driver certificate and that the matter had been fully considered. I understand the minister subsequently advised the honourable member that there was no problem. Subject to matters raised both externally and internally Mr Theodore's licence was not revoked.

The matter is quite serious, given the stated intention of the Premier and the government that the taxi industry needs to be cleaned up. This matter must be of great concern to every applicant for a licence.

Buses: Nightrider

Mrs ELLIOTT (Mooroolbark) — I raise a matter for the attention of the Minister for Public Transport. Late in 1992 when I was first in Parliament on one occasion when the house sat all night, a member of staff came to see me and told me some of my constituents were in the public gallery. They were young people who had come from the Metro nightclub and were waiting for the first train to Mooroolbark.

It takes approximately 50 minutes to drive to the city from my electorate and it is difficult for many of my constituents to come to the city for entertainment. The introduction of the Nightrider bus service has been of great assistance in that respect. However, the service operates only on weekends.

As any parent of teenagers knows, Thursday night is the night when young people go out. Many young people from my electorate who like to come to the city to visit the various nightspots in this area would benefit from some extension of the Nightrider bus service. Many other constituents of mine may wish to frequent theatres and restaurants in the city, and the entertainment offered at the casino — and it would also benefit from an extension of the service — and avail themselves of the service.

The service has been of inestimable value not only to the residents of Croydon, Mooroolbark and Chirnside Park but also to residents of areas further out, who are represented by the honourable member for Monbulk. It saves people who want to have a drink when they are in the city from having to worry about whether they can get home satisfactorily and avoid the booze buses, which are almost inevitably out on the Maroondah Highway and Canterbury Road in the evenings.

I ask the Minister for Public Transport whether it is possible to extend the excellent Nightrider bus service to operate not only on weekends but also during the week to service the needs of people who live in the outlying areas of Melbourne so that they may avail themselves of the delights the capital city has to offer, and which have been extended even further by the current government.

Western Region Centre for Alcohol and Drug Dependence

Ms GARBUTT (Bundoora) — I raise a matter for the attention of the Minister for Women's Affairs and ask her, on behalf of the women of Victoria, to take it up with the Minister for Health.

The Minister for Health has asked that the Western Region Centre for Alcohol and Drug Dependence change its model of service from a women-only service to a mixed-gender service. The service offers withdrawal beds as a statewide service for women who are drug dependent. One of the principal features of the service is that it assists women to access it by offering to care for their young children.

It has been shown that the lack of child care is one of the major obstacles to women seeking services for their drug or alcohol dependency. This service offers that assistance; it is recognised as the only one of its kind in Australia and as representing best practice in this area. Many of the women who use the service have been in or are in abusive relationships and have or have had partners who abuse alcohol and drugs. The safest and best way for those women to treat their addiction is in a women-only service.

This is another step in the destruction of women-specific health services. It follows from the forced integration of women's health centres into community health centres, where the focus on women and the ability to challenge the normal health services in the way that they deal with women and their problems will be lost. This is another step in ending those women-specific services.

The women's service at the Western Region Centre for Alcohol and Drug Dependence is a well integrated network with other communities and health services in the area and can help women and their children with ongoing support. The service works closely with child protection services to enable both women and children to receive effective care and support.

One of the most telling factors is that the occupancy rate for the women's service last year was 92 per cent. That is above the occupancy rate of the mixed gender service, which often refers women. It is obvious the service meets the needs that the mixed gender service does not.

Will the minister take up this issue with the Minister for Health in an endeavour to stop the change from

occurring or at least to call a moratorium, because an independent evaluation of the service as well as a review by the department on existing drug and alcohol services is being undertaken? Those reviews should be assessed before this step is taken.

Radar detectors

Mr WELLS (Wantirna) — I raise a matter for the attention of the Minister for Public Transport as the representative in this place of the Minister for Roads and Ports in another place. A constituent who lives in Wantirna has written to me about a brochure that has been letterboxed from a West Australian company, Nelson Warehouse Direct. I do not pass any judgment on that company: it may be an excellent company, but it is in the business of shop-at-home, which is becoming more and more popular.

The concern of my constituent is that the brochure advertises radar detectors, and states:

You deserve a break!

Treat yourself to one less road hazard. Nelson Corp radar detectors are top of the range and undetectable. The units pictured are the best money can buy and imported direct from the manufacturer. Each one suits slightly different driving habits.

It goes on to list a range of different radar detectors. My concern is that under the Road Safety Act that is administered by the Minister for Roads and Ports it is illegal to own, sell, use or possess a radar detector in the state of Victoria. The problem is that this company is circumventing the current state laws by selling these radar detectors from Western Australia.

The brochure is obviously encouraging irresponsible people to purchase the radar units from Western Australia so that they may be installed in motor vehicles in Victoria. This is not what police throughout Victoria wish.

Recently I was informed that the police have detectors that will detect these radar detectors, and therefore the technology is advancing. The brochure states that the radar detectors are undetectable.

Will the Minister for Public Transport discuss with the Minister for Roads and Ports in another place whether he can amend the Road Safety Act to make it illegal to advertise the sale of radar detectors, and will he advise me on how best to inform my constituent of this complaint?

Responses

Mr HAYWARD (Minister for Education) — The honourable member for Carrum raised the matter of the learning assessment project. It is very important for us to understand that the learning assessment project is a diagnostic process for parents and for teachers. Essentially it does two things: it identifies certain areas where a child can move ahead more strongly, and at the same time it identifies the areas where a child needs improvement.

The learning assessment project is in line with worldwide thinking. For example, in the United Kingdom Mr Tony Blair of the opposition is very much in favour of rigorous assessment. The New South Wales and Queensland governments are strong on rigorous assessment, and it is interesting that inquiries from overseas and other parts of Australia about the learning assessment project have increased. The learning assessment project is a much more sophisticated approach than exists anywhere else. Unlike some systems that focus only on what are termed basic skills, the learning assessment project looks in a diagnostic way to a child's strengths and weaknesses; it also involves a considerable amount of teacher assessment.

It is only the opposition here that is out of touch with the world. It has made a major political error in this simply because it takes its instructions from trade union officials and, as we know, trade union officials are not interested in students at all. This project is leading the world. It is a sophisticated program that has attracted worldwide attention and interest. The Board of Studies is now planning for the 1996 learning assessment project. It recognises that it is important, as in all new projects, to learn from the experience of the previous year.

The Board of Studies has had the benefit of extensive input from teachers who have indicated there are significant improvements that can be made based in the implementation of the learning assessment project. The Board of Studies is taking all that into consideration. It has already prepared a report setting out the proposed improvements. As in all aspects of the learning assessment project, the proposed improvements will be the subject of ongoing and extensive consultation with teachers.

Essentially the learning assessment project is the result of the teachers' own suggestions and planning. The project will continue to serve students well and will continue to enjoy widespread community and parental support. It is a wonderful

innovation that is receiving worldwide acclaim and recognition.

Mr BROWN (Minister for Public Transport) — A number of important issues have been raised for my attention in the adjournment debate today. The first matter concerns the member for Mooroolbark.

The honourable member for Mooroolbark has been an extremely efficient and cooperative member of Parliament as far as the Minister for Public Transport is concerned. She puts forward well-considered, mature requests in a forthright and well-rehearsed way. She has been very effective, not only in our party room, in making sure the viewpoints of our constituents are put forward, and in the way she performs her own work thoroughly before she puts up a proposal.

The honourable member for Mooroolbark has been impressing upon me for some considerable time now the very great support that constituents in her area, primarily young people, have given to the Nightrider bus service. The Nightrider bus service is an initiative of this government.

We now have Nightrider buses operating within an extended radius of Melbourne. At a very moderate cost they bring young people from the outskirts of Melbourne into the heart of the city and return them home safely on Friday and Saturday nights.

I am prepared to respond positively to the representations of the honourable member for Mooroolbark. It is with a degree of pride that I announce that the Croydon Nightrider bus service will commence a trial operation, and I expect that should become permanent given the great support for the Friday and Saturday night services.

These after-midnight trips will commence on weekdays as from Monday, 18 September. That will be the first seven-days-a-week after-midnight public transport service in Melbourne in living memory. I understand this will be the first time ever in the region served by the honourable member that 24-hours-a-day, seven-days-and-nights-a-week public transport will be available. That service is a stunning success resulting from the work of the honourable member for Mooroolbark.

The new services will depart Melbourne at 1.30 a.m. and 3.30 a.m. Monday to Friday. They will service Kew, North Balwyn, Doncaster, Box Hill, Blackburn, Nunawading, Mitcham and Ringwood on the way to Croydon. A galaxy of stars in the form of other

honourable members as well as the honourable member for Mooroolbark will have their electorates serviced by that extended service!

The service will also operate from Croydon to Melbourne at 12.30 a.m. and 2.30 a.m. As a bonus it will operate from Crown Casino, providing casino patrons with the option of travelling home on public transport. This significant transport initiative is being introduced by Mount Dandenong Passenger Service Pty Ltd which, I might say, should be congratulated on its pro-active approach to this fine initiative.

The government put the Nightrider bus network to tender in May 1995. This is one of a number of initiatives introduced, amazing as it may seem, at no additional cost to the government. As I said, that bus firm is to be congratulated on this initiative.

As the house knows, other developments have included the extension of the Croydon route to service Montrose, Mooroolbark and Lilydale; the extension of the Werribee service and the introduction of a \$2 local fare between Ringwood and Lilydale. A number of improvements have been introduced since the service commenced in May 1993.

I could go on at length about the stunning success of the Nightrider buses, but I shall limit my comment to concluding that the success of the service has been reflected in a spectacular 25 per cent growth in patronage in the second year of operation, with more than 82 000 passengers being carried on the system.

Nightrider has been a significant initiative. It has been well accepted by the youth of Melbourne, and in responding to my colleague's representations I point out that it represents a stunning coup for her as a member of Parliament.

The honourable member for Wantirna raised a concern about what he called a radar scam. It is illegal to own, sell, use or possess a radar detector in Victoria. This matter comes within the portfolio of the Minister for Roads and Ports in the other place. I will take this matter up with him, but in the interim I stress that anyone who buys such a device in this state will be breaking the law.

It is not a matter of the company finding a loophole. As I understand it — and I will confirm it with the Minister for Roads and Ports — a purchaser would be acting illegally by buying the product. It will be

worse still if it is used by that purchaser because the police in Victoria have electronic devices to detect usage of such illegal items of equipment.

It would be folly for anyone to consider buying them. It appears to be a loophole and is something I am sure my colleague the Minister for Roads and Ports will be concerned about. I will ensure that these representations are responded to as soon as possible.

The honourable member for Morwell has brought to my attention an item that also falls within the portfolio of the Minister for Roads and Ports. He referred to what he sees as the unsuitability of a person to be licensed to drive taxis. That person is primarily operating in Ballarat. It would be of concern if anyone licensed to drive a taxi is offering anything but the highest standard of service or poses any sort of threat to passengers.

As the Premier's initiative has shown, this government is establishing — and has in large measure established — a world-class public taxi system for Victoria as a result of changes that have been made. I will ensure that the Minister for Roads and Ports in the other place is made aware of the matter and gives it further consideration.

I point out to the house that it appears from what the honourable member for Morwell said that Mr Theodore's suitability to drive taxis was questioned in 1989. That appears in documents in the possession of the honourable member for Morwell. That was in the time of the former Labor government. Nevertheless, regardless of when that gentleman was originally licensed the issue of his having a string of prior convictions has now been raised, and some of them are serious. On that basis the matter should be raised expeditiously with the Minister for Roads and Ports.

The honourable member for Frankston East referred to noise barriers along the Frankston Freeway. Again, that is a matter that falls within the portfolio of my colleague the Minister for Roads and Ports in another place. This government is setting out to rectify the wrongs of the past. What were considered by the former government to be good roads in fact created inconvenience to the community as they have simply locked up traffic in areas in what is known as the South Eastern Car Park, which should be the South Eastern and Mulgrave freeways. We want these roads to be world-class freeways. I will raise the matter with my colleague and ensure that an answer is provided in the shortest possible time.

Mrs TEHAN (Minister for Health) — The honourable member for Bentleigh raised with me a complex matter involving the Monash Medical Centre and concerns recently expressed regarding the demands on the centre, especially the emergency services. Monash Medical Centre is one of the busiest hospitals in the state and is certainly one of the busiest in Melbourne. The number of patients treated has increased. In 1994-95 there was a 15 per cent increase in the number of patients treated. In 1993-94 the centre treated approximately 45 000 patients, and that number increased to 52 000 the following year. The honourable member for Bentleigh rightly indicated that demands have been imposed on this hospital from its very earliest days.

The honourable member has made available to me a document, dated 9 December 1991, entitled 'Emergency department planning document', which was prepared in the latter years of the Labor government. Curiously enough, Mrs Ann Barker, a government member at the time, was on the board of the Monash Medical Centre. The 1991 planning document concerns the emergency department, which is primarily the area the honourable member for Bentleigh has drawn to my attention. It states:

... the emergency department at Moorabbin campus should either be closed or replaced with a different type of unit. The preferred option is to replace it with a facility run directly by the division of surgery and designed to give basic initial treatment to patients referred in for admission to Moorabbin, to review patients with complications of treatments received at Moorabbin, and to provide urgent medical cover to in-patients after hours. Current medical, nursing and ancillary staff of Moorabbin's emergency department should be relocated to Clayton's emergency department.

Since 1991 the need to address the demands placed on the emergency department has been recognised. At the time Ann Barker believed one of the best ways of dealing with the problem was to transfer the emergency department in total to the Clayton campus. That was done in the subsequent year, or around that time. The demand on the service has continued to increase. I share the concerns of the honourable member for Bentleigh.

Ms Garbutt interjected.

Mrs TEHAN — No, it was planned well before this government came to office, as the document I have just quoted makes clear. Board member Ann Barker in 1991 strongly proposed that it be closed.

I suggest that the Monash Medical Centre probably did not proceed because of a fair amount of pressure from Ann Barker at the time; the centre was not prepared to make the necessary planning decisions. One of the reasons why as a matter of practice I do not have members of Parliament on boards of hospitals is the political pressure they exert, as was the case with Ann Barker.

Emergency services are now based at the Clayton campus. I share the concern of the honourable member for Bentleigh and other honourable members from that area about emergency department patient complaints in the first part of this year. Across the system there has been pressure on emergency departments, as there always will be. That pressure oscillates between extreme highs and lows. For that reason in February 1995 the government allocated additional funding to emergency departments, setting up a series of criteria aimed at improving their patient throughput. It is an incentive arrangement: if ambulance bypass figures decline, if waiting times decline and if triage is done properly, hospitals are rewarded. There are incentives and payments across the board for hospitals able to operate their emergency departments according to predetermined criteria accepted by the state hospital system.

The Chief Executive Officer of Monash Medical Centre, Mr Stoelwinder, wrote to me on 14 August, indicating initiatives the hospital had taken to address the concerns raised by the honourable member. Those concerns are reflected in letters I have received. I met with the CEO on 14 August. At that meeting he set out a number of initiatives aimed at improving the care component of the Monash emergency department and, more importantly, reducing the delays manifest in the department.

I called at the emergency department of the Monash Medical Centre approximately 10 days ago and was most impressed with the improvements that have taken place, even in a short period. A new 20-bed ward that services patients from the emergency department only has been opened.

In the past when new beds were opened in wards they were quickly occupied by patients of the specialists who work in those wards, by those who had had elective surgery or by other surgical or medical patients. However, this ward is designated for emergency patients only, which has markedly relieved the congestion in the emergency department.

The chief executive officer introduced me to two most impressive staff members, a doctor and a nurse who have been charged with reviewing the procedures in the emergency department. They have introduced a number of initiatives that have dramatically smoothed the problems that were becoming apparent in the department. I was impressed by the practical focus those two people applied to improving the system. My only regret is that the review and the opening of the ward had not taken place six months earlier. This is a major improvement, as are the other initiatives introduced in the emergency department.

I have noted a reduction in the number of complaints and I am convinced that the emergency department is operating more efficiently, which is pleasing because Monash is one of our major and newest hospitals. It was designed and purpose built as an emergency centre. There is no reason why, with a proper focus, the centre should not run as well as other hospitals in the system despite the pressures and demands placed upon it.

As the honourable member for Bentleigh said, and as I have illustrated, there has been pressure in this area for many years, back to at least 1991. I am pleased that those pressures are being addressed. All the evidence shows a marked improvement in patient numbers, quality of care and the focus on improvements in that department. I commend the management and staff, and I am confident that the situation will continue to improve.

Mr JOHN (Minister for Community Services) — The honourable member for Williamstown raised the important matter of respite care for people with intellectual disabilities in the western suburbs. I share his concern. Respite care is most important for families who have a member with an intellectual disability. I had read about the concerns in the western suburbs following the publication of Mr Toms's letter in the *Age*, and as a result I called for a general briefing and urgent action by my department. I assure the honourable member that urgent action has been taken, and I shall communicate further with him when I have further information.

Mr COLEMAN (Minister for Natural Resources) — The honourable member for Bundoora raised with the Minister responsible for Women's Affairs the problem of the Western Region Centre for Alcohol and Drug Dependence. I will refer the matter to the minister for her direct response to the honourable member for Bundoora.

The honourable member for Pascoe Vale raised the removal of some stream-side vegetation at Molesworth. The history of the matter is that the former Upper Goulburn River Management Authority sought to do some stream straightening work, not some flood mitigation work. It is not flood mitigation work at all. At that point the Goulburn River is subject to some deep meanders, and on the inside of one meander, where the property in question is located, there has been a large deposition of material, which has led to severe erosion outside the bend, which has the potential to create an island in the Goulburn River.

One of the ways of dealing with it is to remove some of the deposited material and allow the stream to take a more natural course. The continual erosion of the banks of the Goulburn River is creating turbidity on the bends, and it is for that reason that the authority has sought to rectify the matter.

In the time between the approval and the undertaking of that work, the Upper Goulburn River Management Authority and the North Central Waterways Management Board were amalgamated to form the Upper Goulburn Waterways Authority. Following representations from the property owner and me the proposal was re-evaluated to ensure the process took account of the vegetation. The self-sown river red gums in the deposited material are of mixed ages. They are said to be a koala habitat, but there are a significant number of red gums in the area that also provide that habitat.

If the work is not done an island will be created in the Goulburn River, which will have the long-term effect of continued sedimentation and increased turbidity. The new authority has sought to review all the approval processes with the intention of ensuring that no-one is disadvantaged. The authority will complete its study in due course, and I will reconsider its recommendations. At its most recent meeting the authority said that no work would proceed until the matter was resolved.

The honourable member for Shepparton raised with me the issue of levee banks and the effect of the laser grading being carried out throughout the Goulburn-Murray and other irrigation areas. Laser grading, which has been done not only as part of the salinity mitigation works but to ensure that we make the best use of irrigation water, is leading to the faster passage of water during periods of high rainfall. One of the effects is that throughout the Goulburn Valley water is finding its way onto land that has not previously been subjected to

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inundation. To ease the situation, property owners have on their own volition erected levee banks around the affected land.

The greater part of the irrigation area of Shepparton is on a flood plain, and there is only a given amount of space on that plain to cater for flood movement. Each levee bank that is erected affects other property owners as the water is diverted. As the honourable member for Shepparton pointed out, the issue has occupied the minds of many people during the winter months. I have said that the Water Act will be reviewed to ensure that the sections dealing with flood plain management are written in terms similar to those in the former Drainage of Land Act, which allowed natural flows to be maintained.

The levee banks are affecting the natural water flow, notwithstanding the fact that laser grading is

occurring. In some areas the passage of water is being denied by the erection of levee banks.

A review is currently being carried out which will possibly lead to some minor amendments to the Water Act and which will pick up sections of the Drainage of Land Act. The problem was particularly difficult to cope with during the current winter and I hope before the next winter season we will have a resolution, and that the legislation will have been amended.

Motion agreed to.

**House adjourned 5.45 p.m. until
Tuesday, 3 October.**

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QUESTIONS ON NOTICE

Answer to question no. 8

(Question No. 1)

Dr COGHILL asked the Minister for Industry and Employment:

In respect of question on notice no. 8 given in the first session of the 52nd Parliament — (a) when the question was brought to his attention for response; (b) why there was such a delay in providing a response?

Mr GUDE (Minister for Industry and Employment) — The answer is:

(a) Question no. 8 appeared on Notice Paper No. 26 on 25 November 1993.

(b) There is no time limit for answering questions in the Legislative Assembly.

Youth affairs: travel and training

(Question No. 56)

Mr LONEY asked the Minister responsible for Youth Affairs:

Whether the minister will provide full details, including cost, of interstate and overseas travel, and training programs undertaken by himself and officers of each department, agency and authority within his administration since 3 October 1992; if not why?

Mr HEFFERNAN (Minister responsible for Youth Affairs) — The answer is:

The cost and burden on government do not justify a detailed response to this question.

The member is referred, however, to the department's annual reports which contain details of travel and training programs.

Small business: travel and training

(Question No. 57)

Mr LONEY asked the Minister for Small Business:

Whether the minister will provide all details, including cost, of interstate and overseas travel, and training programs undertaken by himself and officers of each department, agency and authority within his administration since 3 October 1992; if not why?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

The cost and burden on government do not justify a detailed response to this question.

The member is referred, however, to the department's annual reports which contain details of travel and training programs.

Police and emergency services: advertising

(Question No. 77)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration, what the details are of all advertising undertaken since 3 October 1992 to date, indicating — (a) date of approval for each contract; (b) cost of each contract; (c) purpose of advertisement; (d) duration of advertisement; (e) where and when each advertisement was published or broadcast; and (f) to whom each contract was awarded?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the time and resources required to answer a detailed question of this nature are not available. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

Corrections: advertising

(Question No. 78)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration, what the details are of all advertising undertaken since 3 October 1992 to date, indicating — (a) date of approval for each contract; (b) cost of each contract; (c) purpose of advertisement; (d) duration of advertisement; (e) where and when each advertisement was published or broadcast; and (f) to whom each contract was awarded?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the time and resources required to answer a detailed question of this nature are not available. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

Gaming: advertising

(Question No. 89)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration, what the details are of all advertising undertaken since 3 October 1992 to date, indicating — (a) date of approval for each contract; (b) cost of each contract; (c) purpose of advertisement; (d) duration of advertisement; (e) where and when each advertisement was published or broadcast; and (f) to whom each contract was awarded?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

The time and resources required to provide the detailed information sought cannot be justified. However I am prepared to consider a more focused and specific question on this issue, should you so ask.

Police and emergency services: capital works in Dandenong, Cranbourne and Berwick

(Question No. 109)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each of the electorates of Dandenong, Cranbourne and Berwick, respectively since 3 October 1992 to date, what the details are of all capital works conducted, and new programs authorised, including — (a) project funded; (b) expenditure approved; (c) date funding approved; and (d) expected completion dates?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member's question is that four projects were undertaken, as set out below.

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Victoria Police			
Project		Expenditure	Date
Narre Warren Police Station Improvements		\$14 000.00	1994-5
Cranbourne Police Station Alterations		\$15 000.00	Works scheduled for 1995
Doveton Police Station Internal and external painting		\$16 000.00	Works scheduled for 1995
Country Fire Authority			
Project		Expenditure	Date
Endeavour Hills — site purchased for proposed new fire station		\$300 000.00	Allocated 1994-95 allocation — finalisation of purchase July 1995

Nil responses were received from the Police and Strategic Development Division, Victoria State Emergency Service, the Metropolitan Fire Brigades Board and the Police Board of Victoria.

Corrections: capital works in Dandenong, Cranbourne and Berwick

(Question No. 110)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each of the electorates of Dandenong, Cranbourne and Berwick, respectively since 3 October 1992 to date, what the details are of all capital works conducted, and new programs authorised, including — (a) project funded; (b) expenditure approved; (c) date funding approved; and (d) expected completion dates?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member's question is that no capital works have been conducted in the electorates of Dandenong, Cranbourne and Berwick since 3 October 1992 to date.

Gaming: capital works in Dandenong, Cranbourne and Berwick

(Question No. 121)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each of the electorates of Dandenong, Cranbourne and Berwick, respectively since 3 October 1992 to date, what the details are of all capital works conducted, and new programs authorised, including — (a) project funded; (b) expenditure approved; (c) date funding approved; and (d) expected completion dates?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

The Victorian Casino and Gaming Authority or its predecessors, the Victorian Gaming Commission and the Victorian Casino Control Authority, have not funded or approved any capital works projects in the electorates of Dandenong, Cranbourne and Berwick since 3 October 1992.

Police and emergency services: alcohol purchases

(Question No. 141)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

Since 3 October 1992 to date, what the details are of all alcohol purchased by the minister or his office, indicating, in respect of each purchase — (a) the date; (b) the value; and (c) the item?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member's question is set out below.

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All the information to answer the honourable member's question is not readily accessible. However a manual search of available departmental records which specified alcohol purchases, and covering the period 3 October 1992 to 8 December 1994, was carried out for alcohol purchased by the Minister for Police and Emergency Services and the Minister for Corrections. This search disclosed the following identifiable expenditure listed on the attached page.

ATTACHMENT

DATE:	DETAILS:	VALUE: \$
13.10.92	Beer, wine and spirits	137.82
14.10.92	Guinness	33.63
26.11.92	Beer	40.00
19. 3.93	Champagne and beer	107.90
21. 4.93	Alcohol (detail not specified)	49.70
10. 5.93	Alcohol (detail not specified)	72.00
22. 6.93	Guinness and whisky	158.62
22. 6.93	Alcohol (detail not specified)	34.80
29.10.93	Whisky	26.99
16. 3.94	Alcohol (detail not specified)	20.20
6. 9.94	Wine	6.00
2. 8.94	Beer and wine	125.44
15. 9.94	Beer and wine	68.88
29. 9.94	Alcohol (detail not specified)	34.45
18.10.94	Beer	164.91
TOTAL		1082.34

Corrections: alcohol purchases

(Question No. 142)

Mr PANDAZOPOULOS asked the Minister for Corrections:

Since 3 October 1992 to date, what the details are of all alcohol purchased by the minister or his office, indicating, in respect of each purchase — (a) the date; (b) the value; and (c) the item?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member's question is set out below.

All the information to answer the honourable member's question is not readily accessible. However a manual search of available departmental records which specified alcohol purchases, and covering the period 3 October 1992 to 8 December 1994, was carried out for alcohol purchased by the Minister for Police and Emergency Services and the Minister for Corrections. This search disclosed the following identifiable expenditure listed on the attached page.

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21. 4.93	Alcohol (detail not specified)	49.70
10. 5.93	Alcohol (detail not specified)	72.00
22. 6.93	Guinness and whisky	158.62
22. 6.93	Alcohol (detail not specified)	34.80
29.10.93	Whisky	26.99
16. 3.94	Alcohol (detail not specified)	20.20
6. 9.94	Wine	6.00

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2. 8.94	Beer and wine	125.44
15. 9.94	Beer and wine	68.88
29. 9.94	Alcohol (detail not specified)	34.45
18.10.94	Beer	164.91
TOTAL		1082.34

Gaming: alcohol purchases

(Question No. 153)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

Since 3 October 1992 to date, what the details are of all alcohol purchased by the minister or his office, indicating, in respect of each purchase — (a) the date; (b) the value; and (c) the item?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

My office has not purchased any alcohol since 3 October 1992.

Small business: entertainment expenses

(Question No. 166)

Mr PANDAZOPOULOS asked the Minister for Small Business:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister's office; and (b) itemised details of all expenditure in excess of \$500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

(a)	1992-93	1993-94	1994-95
Minister's Office	1203	2766	2474
Department	3407	1945	1490
Small Business Victoria	1316	4501	2731
Liquor Licensing Commission	873	551	109

(b)

- (i) 15 September 1994
- (ii) \$970
- (iii) 140 guests
- (iv) Launch of *First Place* location for Small Business Victoria.
- (v) Michael Jack Catering.

Save for the above item, the cost and burden on government do not justify a detailed response to this question.

Police and emergency services: entertainment expenses

(Question No. 174)

Mr PANDAZOPOULOS asked Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister's office; and (b) itemised details of all expenditure in excess of \$500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the time and resources required to answer a detailed question of this nature are not available. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

Corrections: entertainment expenses

(Question No. 175)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister's office; and (b) itemised details of all expenditure in excess of \$500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the time and resources required to answer a detailed question of this nature are not available. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

Gaming: entertainment expenses

(Question No. 186)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister's office; and (b) itemised details of all expenditure in excess of \$500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

The time and resources required to provide the detailed information sought cannot be justified. However I am prepared to consider a more focused and specific question on this issue, should you so ask.

Small business: publications

(Question No. 198)

Mr PANDAZOPOULOS asked the Minister for Small Business:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case — (a) the title; (b) the date of issue; (c) details of distribution, including numbers and cost; (d) the number printed; (e) the cost of production; (f) the purpose of production; (g) who it was printed by; and (h) whether tenders were called?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

The cost and burden on government do not justify a detailed response to this question.

The member is referred, however, to the department's annual reports which contain listings of the publications produced.

Police and emergency services: publications

(Question No. 206)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case — (a) the title; (b) the date of issue; (c) details of distribution, including numbers and cost; (d) the number printed; (e) the cost of production; (f) the purpose of production; (g) who it was printed by; and (h) whether tenders were called?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that a considerable amount of detail on publications is provided in the Department of Justice's annual report.

However, the time and resources required to answer the question in the detail required are not available. The honourable member may wish to narrow his inquiry and I will reconsider my response.

Corrections: publications

(Question No. 207)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case — (a) the title; (b) the date of issue; (c) details of distribution, including numbers and cost; (d) the number printed; (e) the cost of production; (f) the purpose of production; (g) who it was printed by; and (h) whether tenders were called?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that a considerable amount of detail on publications is provided in the Department of Justice's annual report.

However, the time and resources required to answer the question in the detail required are not available. The honourable member may wish to narrow his inquiry and I will reconsider my response.

Arts: publications

(Question No. 218)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case — (a) the title; (b) the date of issue; (c) details of distribution, including numbers and cost; (d) the number printed; (e) the cost of production; (f) the purpose of production; (g) who it was printed by; and (h) whether tenders were called?

Mr McNAMARA (Minister for Corrections) — The answer supplied by the Minister for Gaming is:

The time and resources required to collate and provide extensive details of each publication produced within the administration of the Victorian Casino and Gaming Authority cannot be justified and the information requested is unavailable in the format requested. The following information is provided in respect of the publications produced:

- i. The major external publications produced by the Victorian Casino and Gaming Authority in the financial years 1992-93 and 1993-94 are listed in the Victorian Gaming Commission Annual Report 1992-93 and the Victorian Gaming Commission Annual Report 1993-94.
- ii. All departmental publications are quoted or tendered for according to the prevailing provision of the Financial Management Act 1994, the Financial Management (Amendment) Act 1994 and the Victorian Government Purchasing Board supply policies and guidelines.

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Small business: stress-related leave

(Question No. 230)

Mr PANDAZOPOULOS asked the Minister for Small Business:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

For the ministry of small business and youth affairs:

	1992-93	1993-94	1994-95
(a)	29	Nil	6.5
(b)	\$4630	Nil	\$1038
(c)	172	153	125

For Small Business Victoria there has been no stress-related leave taken by any of the staff of 47 employees.

Police and emergency services: stress-related leave

(Question No. 238)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member's question is set out below. The Occupational Health and Safety Unit in the Department of Justice has aggregated data only on the Department of Justice and the fully funded agencies in the portfolio and this is listed below. It should be noted that the aggregated information covers the department and the agencies for the five portfolios, namely police and emergency services, corrections, Attorney-General, fair trading and women's affairs.

Aggregated data for the Department of Justice and fully funded agencies

Date	Number of days taken	Estimated cost	Total number of staff in section
Oct 92-Sep 93	1771	290 001.82	Departmental programs 5209 staff
Oct 93-Sep 94	1975	740 534.56	Departmental programs 4557.5 staff
Oct 94-Dec 94	281	1 169 757.30*	Departmental programs 4486.5 staff

* The period in question included one 'serious injury' claim. Such claims are estimated for costs until the normal retirement age of the claimant and consequently can have estimates that exceed \$1m

To provide separate information on the Department of Justice and each fully funded agency would require an extensive manual search of records which is beyond the time and resources available in the department. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

A breakdown of information can be provided for the Country Fire Authority, the Metropolitan Fire Brigades Board and the Victoria Police headquarters and is listed below:

Country Fire Authority

Date	Number of days taken	Estimated cost \$	Total number of staff in section
Oct 92-Mar 95	0	3300.19	Operations: 440
Oct 92-Mar 95	0	1142.30	Domestic: 20

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Metropolitan Fire Brigades Board, Melbourne

Oct 92-Mar 95	24	4960.00	Total staff: 1950
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Victoria Police Headquarters Personnel

Oct 92-Mar 95	58 139	8 389 201.00 (less GIO compensation) - 4 817 231.00 = 3 571 970.00	12 233
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Corrections: stress-related leave

(Question No. 239)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member's question is set out below.

The Occupational Health and Safety Unit in the Department of Justice has aggregated data only on the Department of Justice and the fully funded agencies in the portfolio and this is listed below. It should be noted that the aggregated information covers the Department and the agencies for the five portfolios, namely police and emergency services, corrections, Attorney-General, fair trading and women's affairs.

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* The period in question included one 'serious injury' claim. Such claims are estimated for costs until the normal retirement age of the claimant and consequently can have estimates that exceed \$1m.

To provide separate information on the Department of Justice and each fully funded agency would require an extensive manual search of records which is beyond the time and resources available in the department. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

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Metropolitan Fire Brigades Board, Melbourne

Oct 92-Mar 95	24	4960.00	Total staff: 1950
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Victoria Police Headquarters Personnel

Oct 92-Mar 95	58 139	8 389 201.00 (less GIO compensation) - 4 817 231.00 = 3 571 970.00	12 233
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Arts: stress-related leave

(Question No. 242)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services, for the Minister for the Arts:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer supplied by the Minister for the Arts is:

Information regarding stress-related leave awarded to staff in three of the agencies within my administration is provided on the table below. All other agencies within my administration reported that no stress-related leave was awarded during the specified period.

It should be noted that it is not possible to provide statistics on stress-related leave other than under Workcover as the type of illness is not required to be specified on a doctor's certificate for sickness leave.

It is impossible to give the total number of staff in any section as staff numbers have fluctuated in the period indicated. An average of staff numbers over this period has been provided.

Stress leave taken between 3 October 1992 and 8 December, 1994.

Agency	Number of days leave taken (a)	Number of incidents of stress	Estimated cost (b)	Average number of agency staff (c)
Museum of Victoria	30	1	\$ 2 891.55	300
National Gallery of Victoria	527	3	\$49 426.55	210
Department of Arts, Sport and Tourism — Corporate Resources	2	1	\$ 222.80	62

Gaming: stress-related leave

(Question No. 250)

Mr PANDAZOPOULOS asked Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

No stress related leave has been taken by staff of the Victorian Casino and Gaming Authority or its predecessors, the Victorian Gaming Commission and the Victorian Casino Control Authority, since 3 October 1992.

Police and Emergency Services: media research and public opinion polling

(Question No. 271)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling conducted since 3 October, 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

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Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member's question is that four surveys were undertaken, as set out on the attached pages.

ATTACHMENT

POLICE AND EMERGENCY SERVICES

Police and Strategic Development Division

- | | | |
|-----|------------------|----------------------------|
| (a) | Title: | Youth Perceptions of Crime |
| (b) | Date: | Commenced October 1994 |
| | Duration: | To March 1995 |
| (c) | Cost: | \$86 250.00 |
| (d) | Personnel: | REARK RESEARCH Pty Ltd |
| (e) | Tenders: | Five tenders assessed |
| (f) | Recommendations: | Analysis still in progress |
| (g) | Actions taken: | To be determined |

Background: Commissioned by the Interdepartmental Committee on Crime Prevention and Community Safety (chaired by the Chief Commissioner of Police) and funded through the Community Safety and Crime Prevention Grants Program, the survey will assist in formulating the Victorian Youth Crime Prevention Strategy.

Police and Strategic Development Division

- | | | |
|-----|------------------|---|
| (a) | Title: | Victorian Crime and Safety Survey |
| (b) | Date: | Commenced 1994 |
| (c) | Cost: | \$96 800 |
| (d) | Personnel: | Australian Bureau of Statistics |
| (e) | Tenders: | Project proposal/funding agreement |
| (f) | Recommendations: | A briefing to the Minister; further analysis in train |
| (g) | Actions taken: | Leaders' Forum commitment to 1995 Survey |

Victoria State Emergency Service

- | | | |
|-----|------------------|---|
| (a) | Title: | Victoria's Emergency Management Arrangements
Community Awareness Survey |
| (b) | Date: | Commenced 1994 |
| | Duration: | Six months |
| (c) | Cost: | Approximately \$8000.00 |
| (d) | Personnel: | VICSES staff on behalf of State Emergency Management
Community Awareness Committee (SEMCAC). |
| (e) | Tenders: | Survey utilised VICSES staff and resources |
| (f) | Recommendations: | Analysis of responses still in progress |
| (g) | Actions taken: | Dependant on results of survey |

Background: VICSES has recently developed a community awareness survey program which has been circulated to 1100 homes in 10 selected areas in Victoria. The purpose of this survey is to identify shortfalls that exist in community disaster awareness and to develop and document future planning strategies to assist the community to cope with natural disasters.

Country Fire Authority

- | | | |
|-----|------------------|---|
| (a) | Title: | Community Awareness Study (Melbourne Fringe
Eastern Bushland Suburbs) |
| (b) | Date: | Approved: 1 April 1994 |
| | Duration: | Approximately one month |
| (c) | Cost: | \$11 000.00 |
| (d) | Personnel: | Mr W Berryman, Advertising Officer, CFA
Ms L Smith, The Open Mind Research Group |
| (e) | Tenders: | No |
| (f) | Recommendations: | |
| and | | |
| (g) | Actions taken: | (See below) |

To increase the awareness of residents in bushfire-prone suburbs to fire risk. (This was carried out in a press and radio campaign in the 1994-95 season. Television, which had been used in earlier campaigns, was not used due to poor ratings in January.)

Dissemination of information should take place at community meetings. (Special efforts have been made in areas of high fire danger to use this process to disseminate information.)

Encourage groups of residents to consider fire issues. ('Community Fireguard' projects have been established in some areas covered by the research project.)

Criticism emerged regarding the volume of copy information and content of some advertisements in the media. (These matters will be noted in any future campaign development.)

Corrections: media research and public opinion polling

(Question No. 272)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling since 3 October 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member's question is that no media research or public opinion polling has been undertaken by the Correctional Services Division.

Gaming: media research and public opinion polling

(Question No. 283)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling conducted since 3 October, 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

- (a) Community Gambling Patterns
- (b) 11 August 1993; commenced January 1994; completed January 1995
- (c) \$55 775
- (d) AGB McNair
- (e) Yes
- (f) The research provided information on Community Gambling Patterns. No recommendations were made.
- (g) The Minister approved the release of the report by the Victorian Casino and Gaming Authority.

Police and emergency services: credit cards

(Question No. 303)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration, whether he will provide full details of the use of credit cards by himself, ministerial staff and departmental heads since 3 October 1992, indicating in the case of each card holder — (a) the spending limit; (b) the type of authority required for purchase; (c) criteria for issue and usage; (d) total entertainment expenses, including — lunches, dinners and alcohol; and (e) a list of all instances where expenditure exceeded \$200 per account, including — (i) the amount; (ii) the number of guests; (iii) the purpose of the function; (iv) the name of the service provider; and (v) the date of service?

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Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

The Minister for Police and Emergency Services and the Minister for Corrections was issued with a credit card in July 1994 but had not used it at the time this question was asked on 8 December 1994. The ministerial staff have not been issued with credit cards.

Minister for Police and Emergency Services and Minister for Corrections:

- (a) \$5000.00
- (b) and (c) Government and departmental guidelines, as attached.
- (d) No expenditure
- (e) No expenditure

The information for the departmental head has been included with this response.

The information covers the position of the Secretary to the Department of Justice for the period from 3 October 1992 until 31 December 1994.

Secretary to the Department of Justice:

- (a) \$10 000.00
- (b) and (c) Government and departmental guidelines, as attached.
- (d) \$500.20
- (e) No expenditure over \$200 per account.

Corrections: credit cards

(Question No. 304)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration, whether he will provide full details of the use of credit cards by himself, ministerial staff and departmental heads since 3 October 1992, indicating in the case of each card holder — (a) the spending limit; (b) the type of authority required for purchase; (c) criteria for issue and usage; (d) total entertainment expenses, including — lunches, dinners and alcohol; and (e) a list of all instances where expenditure exceeded \$200 per account, including — (i) the amount; (ii) the number of guests; (iii) the purpose of the function; (iv) the name of the service provider; and (v) the date of service?

Mr McNAMARA (Minister for Corrections) — The answer is:

The Minister for Police and Emergency Services and the Minister for Corrections was issued with a credit card in July 1994 but had not used it at the time this question was asked on 8 December 1994. The ministerial staff have not been issued with credit cards.

Minister for Police and Emergency Services and Minister for Corrections:

- (a) \$5000.00
- (b) and (c) Government and departmental guidelines, as attached.
- (d) No expenditure
- (e) No expenditure

The information for the departmental head has been included with this response.

The information covers the position of the Secretary to the Department of Justice for the period from 3 October 1992 until 31 December 1994.

Secretary to the Department of Justice:

- (a) \$10 000.00
- (b) and (c) Government and departmental guidelines, as attached.
- (d) \$500.20
- (e) No expenditure over \$200 per account.

Premier: ethnic business organisations

(Question No. 338)

Mr LONEY asked the Premier:

Whether the minister has received any requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies since 3 October 1992, if so — (a) how many requests have been received, indicating in each case whether the request was supported or rejected, giving the reasons in each case; and (b) whether he will provide the details of support given to any such organisation?

Mr KENNETT (Premier) — The answer is:

My office has received three requests from the Hellenic Australian Chamber of Commerce and Industry (HACCI) for support from myself and my government to its proposed participation at the Helexpo Trade Fair in Greece this year. The HACCI was notified earlier this year that the Victorian government would also participate at the Helexpo Fair and that all available resources would be allocated towards the Victorian exhibition. I would also like the honourable member to be aware that as Premier, I have received numerous invitations from various ethnic business organisations and similar bodies to attend their functions, of which, I attend those that my schedule allows.

Ethnic affairs: ethnic business organisations

(Question No. 339)

Mr LONEY asked the Minister for Ethnic Affairs:

Whether the minister has received any requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies since 3 October 1992, if so — (a) how many requests have been received, indicating in each case whether the request was supported or rejected, giving the reasons in each case; and (b) whether he will provide the details of support given to any such organisation?

Mr KENNETT (Minister for Ethnic Affairs) — The answer is:

The Hellenic Australian Chamber of Commerce and Industry (HACCI) did apply for funding under the Victorian Ethnic Affairs Commission's Small Grants Program (1994-95). The application was unsuccessful, as it was of low priority according to the commission's Funding Advisory Committee. According to the records of the Victorian Ethnic Affairs Commission, no other ethnic business organisation has applied for funding under the Small Grants Program since 3 October 1992.

Industry and employment: ethnic business organisations

(Question No. 340)

Mr LONEY asked the Minister for Industry and Employment:

Whether the minister has received any requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies since 3 October 1992, if so — (a) how many requests have been received, indicating in each case whether the request was supported or rejected, giving the reasons in each case; and (b) whether he will provide the details of support given to any such organisation?

Mr GUDE (Minister for Industry and Employment) — The answer is:

- (a) The department does not maintain a specific register of requests for assistance from ethnic groups and it is therefore not possible to fully answer this question. However, the following instances have been identified where assistance has been provided:
- (b) Bendigo Chinese Association Museum Inc.
An application for financial assistance was supported to help finalise building plans for the museum project. A grant of \$3868 was given in June 1993.

Consulate General of the People's Republic of China

Ongoing non-financial support has been provided to identify suppliers and assist in general trade matters.

China Jiangsu International Economic & Technical Cooperation Corporation

Non-financial support had been provided for several projects including a Chinese garden project in the Docklands and a homemaker centre project.

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Hong Kong/Taiwan

The Hong Kong Business Association invited the department's General Manager — Asia to address the association on 5 June 1995. The invitation was accepted.

Special Markets

In response to a request by the American Chamber of Commerce in Australia, the department's General Manager — Industry Sectors and Government Supply (formerly General Manager — Europe and North America), has become a member of the chamber's International Trade Committee.

Italian Chamber of Commerce and Industry

In September 1993 a request was made for names of Victorian food processing companies to invite to CIBUS'94 International Food Exhibition which was held in Palma, Italy. Details of several Victorian companies were forwarded to the chamber.

In February 1994 a request was made for specialised information on a range of industry sector activities for various regional authorities in Italy. Information provided.

In November 1994 a request was made for brochures, pamphlets and videos for an investment program, 'Seminar on Australia' held in Genoa, Italy November 1994.

Italian Trade Commission, Sydney, NSW

In November 1994 a request was made for assistance to identify heat dried food processors. Assistance was provided in that a Victorian company was identified.

Australian/British Chamber of Commerce

In December 1993 financial assistance of \$5120 was provided to research and publish the 'Survey of British Investment in Australia'

Australia-Korea Chamber of Commerce and Industry

In July 1994 the chamber requested Victorian government support for the forming of a sister relationship between Victoria and Pusan, Korea. Response noted the chamber's interest and that the Department of the Premier and Cabinet and Department of Business and Employment were considering such a relationship in conjunction with the Victorian government's representative in Seoul. This relationship was ultimately formed in November 1994.

Australian India Chamber of Commerce

In March 1993 A grant of \$3500 was provided to the Australian India Chamber of Commerce to participate in the Indo-Australian Golf Expo '93. Seven Victorian companies each received \$500 as part of the promotion in New Delhi, Bangalore and Bombay.

In November 1994 a subsidy of \$500 was presented to the National Centre for South Asian Studies to launch a video production entitled 'The India Connection: Textiles and Fashion'.

Chinese Professional Business Association

On 13 October 1994 the Department of Business and Employment participated in a 'East meets West' function involving:

- Chinese Professional Business Association
- Federation of Chinese Associations
- Jasper International Group

The following assistance was provided:

- Contribution of \$1500 to ACM (Australian Chamber of Manufactures), the lead agency organiser.
- In my capacity as Minister for Industry and Employment, I fulfilled the role of keynote speaker.

Hellenic Australian Chamber of Commerce and Industry

In 1995 the chamber applied for funding under the Target Innovation Program. The funding application was unsuccessful.

Japanese Consulate

The consulate is regularly provided with information on investment and trade issues in Victoria.

Japan Chamber of Commerce in Melbourne

The department provides the Japan Chamber of Commerce in Melbourne with an ongoing supply of information for its member companies. It works together on the Victorian Government Japan Business Forum. This forum was initiated to enable Japanese executives to discuss business related topics directly with myself.

Japan Society of Victoria

The department's Japan manager is a member of the business subcommittee and regular contributor to the society.

Australia-Japan Economic Institute

The department is a regular supplier of information to this Japanese government sponsored organisation in Sydney.

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Japan External Trade Organisation (JETRO)

This department works very closely with JETRO to strengthen the economic ties between the two countries. The department has cooperated with JETRO on trade fairs, missions, buying specialists and joint marketing programs aimed at placing more Victorian companies into the Japanese market.

Asia Link Circle

This group of young Victorians have a strong interest in Asian markets. The Japan program has assisted them by providing speakers and assistance at some of their functions.

Cherry Tree Planting

A group of Australian and Japanese volunteers needed assistance in raising funds to plant a cherry tree grove. Victorian government participation was coordinated by the Department of Business and Employment.

Turkish Community Group

A request has been received from a Turkish group looking to establish a new business venture. General business advice provided. No financial assistance was involved.

Public transport: legal advice

(Question No. 342)

Mr THOMSON asked the Minister for Public Transport:

What the cost was of the legal advice provided to the Public Transport Corporation by two legal firms referred to by the minister during the adjournment debate on Wednesday, 22 March 1995?

Mr BROWN (Minister for Public Transport) — The answer is:

The cost of legal advice provided to the Public Transport Corporation in relation to the automated ticketing contract cannot be supplied. The contract for legal services with the corporation is in the process of being tendered and disclosure of the legal costs at this time may adversely impact the current tendering process.

Occupational health and safety: enforcement statistics

(Question No. 344)

Mr MICALLEF asked the Minister for Industry Services:

1. Whether the minister will provide details of the number of prohibition and improvement notices processed in each OHSA zone, issued for each of the financial years 1991-92, 1992-93 and 1993-94?
2. Whether the minister will provide details of the number of actions to prosecute that have been taken by the Central Investigation Unit for each of the financial years, 1991-92, 1993-94, indicating — (a) the number of prosecutions finalised; (b) the number of prosecutions that failed; (c) the number of prosecutions outstanding between six months and 12 months, and 12 months and longer; and (d) the number of prosecutions dropped or not proceeded with?

Mr PESCOTT (Minister for Industry Services) — The answer is:

I advise that the answers to the above questions are set out below:

1. Number of workplace visits, improvement and prohibition notices by zone.

Central Zone	1991-92	1992-93	1993-94
Total Workplace Visits	13379	14293	16360
Audit Visits	0	2	694
Inspectors Observations	1147	2069	3365
Prohibition Notices	496	244	318
Improvement Notices	1394	1146	936
Workcover Claims	24397	18472	12121
Eastern Zone			
Total Workplace Visits	15708	26359	34164
Audit Visits	0	0	203

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Inspectors Observation	971	1540	3919
Improvement Notices	1235	1148	598
Prohibition Notices	399	368	222
Workcover Claims	23761	17894	12084

Western Zone

Total Workplace Visit	11369	11179	12783
Audit Visits	0	0	127
Inspectors Observations	1480	1656	259
Improvement Notices	618	505	245
Prohibition Notices	239	201	180
Workcover Claims	13474	10716	7441

2. Prosecution Action Taken

Finalised prosecutions	95	68	55 ¹
Failed prosecutions	3 ²	1	5
Outstanding prosecutions* (6 months)	—	—	—
Outstanding prosecutions* (from 6 to 12 months)	—	—	—
Outstanding prosecutions* (more than 12 months)	—	—	—
Prosecutions not proceeded with or withdrawn	9 ³	1 ⁴	0

* The time frame for 'prosecutions' is considered to be from the date of the incident to the date the prosecution is determined in court. During this time, there is a comprehensive investigation and relevant charges are issued in each prosecution. Once the charges are issued by HSO Victoria the relevant court has control from the time that the matter is listed to the final prosecution outcome. In the normal course of events this time frame for all prosecution exceeds 12 months.

¹ One case involved charges of manslaughter and was the subject of a conviction in the Supreme Court.

² In one case the magistrate's decision was appealed to the Supreme Court and referred back to the Magistrates' Court with a direction to convict on the principal charge. In another the magistrate struck out all charges, ruling the inspector had not been validly appointed; the decision was appealed to the Supreme Court and upheld subsequently, gaining a conviction.

³ In nine cases all charges were withdrawn due to a Supreme Court decision that the Dangerous Goods (Transport) Regulations (under which the charges were laid) were ruled invalid. These regulations have since been validated.

⁴ One case also involved a charge of manslaughter that was subsequently withdrawn by the Director of Public Prosecutions.

Education: ethnic school grants

(Question No. 345)

Mr MICALLEF asked the Minister for Education:

Whether the minister will provide details of the after hours ethnic schools program and the material production grant program, respectively for each of the financial years 1991-92, 1992-93, 1993-94, and 1994-95 to date, indicating — (a) the total number of applications; and (b) a list of organisations funded and the amount allocated to each applicant?

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Mr HAYWARD (Minister for Education) — The answer is:

- (a) Per capita funding through the after hours ethnic school program is provided on a calendar year basis and not on a financial year basis. The Directorate of School Education has only had responsibility for this funding since the 1992 calendar year. All applicants for funding under this program have been funded in the years 1992 to 1994. Applications for 1995 are still being processed. Grants to ethnic schools for materials development were made available for the first time in 1994. A total of 35 applications were received, of which 34 were funded. The one unsuccessful application was not able to be considered because it was submitted late and after all the funding allocations had been finalised.
- (b) Lists of organisations funded under the per capita grant scheme for each year from 1992 to 1994 and for materials development grants for 1994 have been made available to Mr Micallef.

Melbourne University: student progress

(Question No. 349)

Dr COGHILL asked the Minister for Education, for the Minister for Tertiary Education and Training:

Further to his answer to question on notice, no. 335 received on 22 May 1995, whether the answer demonstrates that the University of Melbourne maintains records indicating — (i) the school system of origin of school leaver commencements in the faculties of law and medicine in 1994; and (ii) the successful completion of first year studies in those programs; if so — (a) whether these two records could be used to provide the actual number and percentage of school leaver commencements originating from each school system who successfully completed first year studies; and (b) whether the information has been withheld because it demonstrates relatively lower rates of successful completion of first year studies by school leaver commencements originating from independent schools?

Mr HAYWARD (Minister for Education) — The answer supplied by the Minister for Tertiary Education and Training is:

- (a) The university does now hold information on the 'school system of origin' on its student records database. The university's student records database does contain information on the 'school attended' for a portion of its students. These are students selected through the Victorian Tertiary Admissions Centre (VTAC) system who were enrolled in Victorian certificate of education studies in the previous year.
- (b) As part of its normal management process, the university does monitor the student progression rates by courses year 1 to year 2.
- (c) The university does not attempt to correlate data relating to student progression rates with date for 'school attended'. Given the incomplete nature of this data, it has not appeared a worthwhile exercise; and
- (d) Neither the Faculty of Law nor the Faculty of Medicine, Dentistry and Health Sciences had undertaken an analysis of this nature in respect of students with their respective faculties.

Melbourne University: student progress

(Question No. 350)

Dr COGHILL asked the Minister for Education, for the Minister for Tertiary Education and Training:

Whether the University of Melbourne undertook research indicating that amongst school leaver commencements in the Faculty of Veterinary Science, prior to the current intake arrangements, the rate of successful completion of first year studies was relatively lower amongst those originating from independent schools and within that cohort was significantly lower in respect of certain schools; if so, what were the numbers and percentages involved?

Mr HAYWARD (Minister for Education) — The answer supplied by the Minister for Tertiary Education and Training is:

- (a) No research was undertaken of the school system of origin of students completing first year of the Bachelor of Veterinary Science course prior to the current intake arrangements for veterinary science.
- (b) Informal records were maintained of the school attended by students appearing before the faculty unsatisfactory progress committee. No attempt was made to assess this date against the school attended of the total cohort of students selected into the course in each year.
- (c) Since the introduction of the new course structure, statistics have been maintained by the Faculty of Veterinary Science on the school of origin of students selected and of progression rates. There are as follows:

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Year	1991	1992	1993	1994
Government	45	37	40	58
Catholic	18	22	15	12
Independent	31	31	29	27
Progression rate Year 1 to Year 2	96%	98%	96%	98%

- (d) Given the high progression rate and the small intake to the BVSc course, there has appeared to be little value in analysing the school of origin of students in the course.

Public transport: employee uniforms

(Question No. 351)

Mr THOMSON asked the Minister for Public Transport:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr BROWN (Minister for Public Transport) — The answer is:

Department of Transport:

1. A uniform is provided to the Ministerial Transport Officer (MTO) employed in the department on duties relating to the public transport portfolio.
2. Paul Mason Pty Ltd.
3. The provision of uniforms for MTO's were arranged by the Department of the Premier and Cabinet at the time that MTO's were administered by the department. I understand that the supplier was selected on the basis of price, quality and as a Victorian or Australian manufacturer.
- 4 & 5. I am advised that inquiries were made as to whether outworkers were used in the production of uniforms and assurances were given that this was not the case. Suppliers are required to meet statutory and legal requirements relating to the services being provided. The Victorian Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable Award wages and conditions.

Public Transport Corporation (PTC):

The PTC has provided the following information:

1. There are approximately 4552 employees across the PTC entitled to some form of uniform clothing.
2. Working Images Pty Ltd is the sole source of supply of uniform clothing for the PTC.
3. The Public Tendering Process was used to select the successful tenderer — Working Images.
4. The PTC was aware that the uniforms were to be manufactured by Can't Tear 'Em Pty Ltd, the parent company of Working Images Pty Ltd; with the exception of knitwear and socks which are manufactured by Resatex Pty Ltd and John Brown Hosiery Pty Ltd respectively.
5. All suppliers to the PTC are required to meet statutory and legal requirements relating to the services being provided. The Victorian Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable Award wages and conditions.

Industry and employment: employee uniforms

(Question No. 353)

Mr THOMSON asked the Minister for Industry and Employment:

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In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr GUDE (Minister for Industry and Employment) — The answer is:

1. One
2.

Paul Mason Pty Ltd	J. Boag Clothing P/L	W.B.J. Knitwear
648 Nicholson St	104-110 Albert St	158 Burgundy St
North Fitzroy	Brunswick	Heidelberg
3. The suppliers were originally selected on the basis of price, quality and as a Victorian or Australian manufacturer.
4. Inquiries have been made of each supplier on whether outworkers are used in the production of uniforms and assurances have been given by each that this is not the case.
5. The Victorian Government Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any federal awards.

Youth affairs: employee uniforms

(Question No. 355)

Mr THOMSON asked the Minister responsible for Youth Affairs:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr HEFFERNAN (Minister responsible for Youth Affairs) — The answer is:

No employees are supplied with uniforms or part uniforms.

Small business: employee uniforms

(Question No. 356)

Mr THOMSON asked the Minister for Small Business:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

No employees are supplied with uniforms or part uniforms.

Community services: employee uniforms

(Question No. 357)

Mr THOMSON asked the Minister for Community Services:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr JOHN (Minister for Community Services) — The answer is:

1. The time and resources required to collate and provide details of how many individual departmental employees are supplied with uniforms cannot be justified as the information is not readily available.
I am, however, able to advise that departmental expenditure for the eleven month period ending 23 June 1995 totals \$237 176 for staff clothing and footwear as coded within the department's chart of accounts. It should be noted that this total includes protective clothing which is significant in a department of this size and operation however, such clothing is not generally defined as uniform.
Details also exclude external agencies including public hospitals, ambulance service, etc. for which details are not available within the department.
2. The attached listing details suppliers who have provided staff clothing/footwear (including protective clothing items).
3. A competitive process is undertaken to determine suppliers in accordance with the Financial Management Act and the supply policies and guidelines of the Victorian Government Purchasing Board.
4. I am not aware of any investigations being undertaken by this department or within the Victorian government regarding the use of outworkers under conditions of gross exploitation, including child labour. Companies manufacturing in Australia are regulated by federal and state legislation and I have been advised there are considerable difficulties in enforcing or investigating workplace practices when items are manufactured overseas.
5. To date, no consideration has been given to an 'ethical sourcing policy', however, I have been advised that the Victorian Government Purchasing Board, expects to develop a comprehensive contracting policy for issue to all departments and this provision may be incorporated, together with standard clauses to the effect that manufacturers are to comply with award wages and conditions.

ATTACHMENT

Myer Knox City	S. Morecroft Shoes
Neat n Trim Uniforms	Safeman Australia
Oliver & Stevens Pty Ltd	Sanross Trading
P B. Shoes	Scottish Pacific Business
Panther's Mensland	Sensational Seconds Shoes
Pascoe Vale Sportscene	Sim's Sports Store
Platypus Outdoors	Solway Clothing
Positive Wholesale	Speeds Shoes
Primac Associations Pty Ltd	Sports Power Sunbury
Protector Safety Pty Ltd	State Supply Service
Rarity Shoes	Sussan Corp
Rays Disposals Tent City	Target Australia
Reilloc Pty Ltd	Uniform Boutique

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Robinsons Mensland
Rodney Mark Pty Ltd
Rogues

Willard Clothing
Williams the Shoeman
Wittners Australia

Note: Some uniform/protective items have also been purchased through the use of the government corporate card — however, the time and resources required to detail individual transactions/suppliers is not available.

Premier: employee uniforms

(Question No. 358)

Mr THOMSON asked the Premier:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr KENNETT (Premier) — The answer is:

In respect of each department, agency and authority within my administration the answer is:

1. Uniforms or part uniforms are provided to:
 - a. Department of the Premier and Cabinet: Twelve employees (12 ministerial transport officers).
 - b. Office of the Governor: Twelve employees (2 drivers, 5 stewards/house attendants and 5 house attendants/stewards).
2. The uniforms and part uniforms are provided by the following companies:
 - a. Department of the Premier and Cabinet :
 - i. Paul Mason Pty Ltd,
 - ii. J. Boag (Clothing) Pty Ltd, and
 - iii. W. B. J. Knitwear
 - b. Office of the Governor:
 - i. Fairmark Pty Ltd,
 - ii. Fletcher Jones and Staff Pty Ltd,
 - iii. Travellers Apparel Pty Ltd, and
 - iv. Free and Easy Uniforms
3. Suppliers were originally selected on the basis of price, quality and Victorian or Australian manufacture. Verbal quotes are periodically obtained.
4. Inquiries have been made of each supplier as to whether outworkers are used in the production of uniforms, and assurances have been given by each that this is not the case.
5. The government takes every step to ensure that it does not, in any way, support any organisation that exploits outworkers. In the event that the department enters into a supply contract for uniforms a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable federal awards, would be included.
No employees have been supplied with uniforms within the Offices of the Public Service Commissioner, Auditor-General, VicCare or the Office of the Ombudsman.

Ethnic affairs: employee uniforms

(Question No. 359)

Mr THOMSON asked the Minister for Ethnic Affairs:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?

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3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr KENNETT (Minister for Ethnic Affairs) — The answer is:

No employees have been supplied with uniforms within the Office of Ethnic Affairs.

Agriculture: employee uniforms

(Question No. 360)

Mr THOMSON asked the Minister for Agriculture:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr W. D. McGRATH (Minister for Agriculture) — The answer is:

Summary details about uniforms purchased by departments, agencies or authorities within the Agriculture portfolio are provided.

Note: Within the agriculture portfolio only the Department of Agriculture, Energy and Minerals, the Melbourne Market Authority and the Victorian Dairy Industry Authority supply uniforms for employees. Information provided about the Department of Agriculture, Energy and Minerals relates to the agriculture portfolio component of the department.

Department of Agriculture, Energy and Minerals

1. Approximately 100 employees are supplied with uniforms, being quarantine inspection services staff, market inspection staff and the minister's chauffeur.
2. The following companies supplied uniforms or part uniforms: Paul Mason Sires Pty Ltd; Fairmark; Roger David; Spicer Sports Wear; Euroa Clothing Company; Bella Knitwear; Tee Dee; and Neat and Trim.
3. Suppliers are selected on the basis of their ability to supply. Competitive quotations are obtained and purchases made in accordance with Victorian Government Purchasing Board, interim supply policy 1.3.
4. There has been no conclusive department or Victorian Government Purchasing Board investigation of this nature. Companies manufacturing in Australia are regulated by federal and state legislation and there are considerable difficulties in enforcing or investigating workplace practices when uniforms are manufactured overseas.
5. The Victorian Government Purchasing Board recommends that all supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable federal awards. The board expects to develop a comprehensive contracting policy for issue to all departments in the next few months and provisions about ethical sourcing are likely to be incorporated.

Melbourne Market Authority

1. Fourteen staff are supplied with uniforms or part uniforms.
2. The following companies supply uniforms or part uniforms: Mike Treloar (uniforms); Solomon Brothers (uniforms); Holeproof (socks); Fletcher Jones (uniforms); and All Safe Industries (safety shoes).
3. Companies are selected to supply uniforms or part uniforms on the basis of written quotations from prospective suppliers.
4. All suppliers are Australian companies. Companies manufacturing in Australia are regulated by state and federal legislation.

5. The companies from whom the Authority sources its uniforms are well-known Australian companies. The authority is not aware of where these companies source their specific clothing lines.

Victorian Dairy Industry Authority

1. A total of eighteen quality assurance officers have been supplied with uniforms by the authority.
2. The current uniform supplier is Cushen Clothing Co Pty Ltd, 102 Mahoneys Road, Thomastown, 3074.
3. Cushen Clothing was selected by the authority on the basis of quality and value for money.
4. No investigation of working conditions of the supplier was undertaken by the authority as Cushen Clothing is a local manufacturer and is bound by federal and state Legislation.
5. The authority has no specific policy in regard to 'ethical sourcing', however, it is guided by the Victorian Government Purchasing Board which recommends that all uniform supply contracts contains a clause that binds manufacturers to comply with state and federal employment laws.

Planning: employee uniforms

(Question No. 364)

Mr THOMSON asked the Minister for Planning:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr MACLELLAN (Minister for Planning) — The answer is:

Plumbers Gasfitters and Drainers Registration Board

1. Twenty-nine employees.
2. TD Noon Sales.
3. The company was selected on the basis of its reputation.
4. No. However, prior to ordering an inspection of the company's facilities was completed by the board's executive officer, who understands that the garments are made in the company's premises in Tullamarine and Albury.
5. No.

Planning Division

1. Seven employees. As a 'one off' trial.
2. Hilton Stores.
3. Lowest tenderer.
4. No.
5. No.

Industry services: employee uniforms

(Question No. 366)

Mr THOMSON asked the Minister for Industry Services:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

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Mr PESCOTT (Minister for Industry Services) — The answer is:

1. One.
2.

Paul Mason Pty Ltd	J. Boag Clothing Pty Ltd	W.B.J. Knitwear
648 Nicholson St	104-110 Albert St	158 Burgundy St
North Fitzroy	Brunswick	Heidelberg
3. The suppliers were selected on the basis of price, quality and being a Victorian or Australian manufacturer.
4. Inquiries have been made of each supplier on whether out workers are used in the production of uniforms. Each supplier has assured the outworkers are not used.
5. The Victorian Government Purchasing Board does recommend that all uniform supply contracts contain a clause requiring manufacturers to comply with the terms of individual and collective employment agreements and any federal awards.

Sport, recreation and racing: employee uniforms

(Question No. 367)

Mr THOMSON asked the Minister for Sport, Recreation and Racing:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr REYNOLDS (Minister for Sport, Recreation and Racing) — The answer is:

SRV Camps

1. 20 staff have been issued with uniforms consisting of windcheaters and polo shirts.
2. Dinkum Sweats, 41 North Valley Road, Highett, Victoria.
(Due to the widespread practice of subcontracting within the textile and clothing industry, it is difficult to ascertain the actual manufacture of some uniforms.)
3. Telephone quotations were obtained.
4. 2 camp managers have visited the manufacturing outlet.
(Companies manufacturing in Australia are regulated by federal and state legislation. There are considerable difficulties in enforcing or investigating workplace practices when uniforms are manufactured overseas.)
5. No consideration has been given to this to date.

SRV Regional Offices

1. 10 secretaries in regional offices were provided with uniforms approximately 7 years ago. These are now aged stock and are no longer required as uniform.

SRV Corporate Activities

1. 63 staff purchased for use in corporate promotional activities a package of sports clothing bearing the SRV logo on each item.
Items purchased through the social club included:
71 packs of tracksuit, T-shirt and shorts;
6 polo shirts;
1 pair or resort shorts.
2. Kea Australia, 5/117 Abbott Road, Hallam, Victoria.
3. The supplier is a Victorian based company was chosen on the recommendation of SRV's marketing consultant, based on price and quality.
4. No investigations have been undertaken.
5. No consideration was given to this.

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Victorian AUSSIE SPORT Campaign

Uniforms for the Victorian AUSSIE SPORT campaign are funded by the Australian Sports Commission and the Victorian Health Promotion Foundation.

1. Each member of staff employed by SRV who has direct involvement in service delivery is provided with a uniform. Total of 16 staff.
2. These uniforms are supplied by Haywood Sports (East Doncaster).
3. At least 3 quotations are obtained and each company is asked to supply sample items in order to assess quality.
4. No investigations have been undertaken.
5. No consideration has been given to this to date.

Koorie Young Persons Sport and Recreation Development Program.

Uniforms for the Koorie Young Persons Sport and Recreation Development Program are funded by ATSIC.

1. Each member of staff employed by SRV who has direct involvement in service delivery is provided with a uniform. Total of 10 staff.
2. These uniforms are supplied by Ross Haywood Sports (Ringwood).
3. 3 quotations are obtained. Both price and quality are taken into account.
4. No investigations have been undertaken.
5. No consideration has been given to this to date.

Volunteer Involvement Program

1. 1 uniform is provided by the Australian Sports Commission.

1-5. [No information.]

Victorian Institute of Sport

1. All coaches (30), some staff (10) and all scholarship athletes (400) are supplied with clothing identifying them as associated with the VIS.
2. The main companies currently used are Kea Australia and Play-a-Round Clothing.
3. Companies are awarded purchase orders following an evaluation based primarily on price, quality, availability and Australian content.
4. An officer has visited sites and has seen that no such exploitation occurs.
5. No formal consideration has been given to this to date.

Health: employee uniforms

(Question No. 370)

Mr THOMSON asked the Minister for Health:

In respect of each department, agency and authority within her administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mrs TEHAN (Minister for Health) — The answer is:

1. The time and resources required to collate and provide details of how many individual departmental employees are supplied with uniforms cannot be justified as the information is not readily available.
I am however, able to advise that departmental expenditure for the eleven month period ending 23 June 1995 totals \$237 176 for staff clothing and footwear as coded within the department's chart of accounts. It should be noted that this total includes protective clothing which is significant in a department of this size and operation however, such clothing is not generally defined as uniform.
Details also exclude external agencies including public hospitals, ambulance service, etc. for which details are not available within the department.
2. The attached listing details suppliers who have provided staff clothing/footwear (including protective clothing items).

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3. A competitive process is undertaken to determine suppliers in accordance with the Financial Management Act and the supply policies and guidelines of the Victorian Government Purchasing Board.
4. I am not aware of any investigations being undertaken by this department or within the Victorian government regarding the use of outworkers under conditions of gross exploitation, including child labour. Companies manufacturing in Australia are regulated by federal and state legislation and I have been advised there are considerable difficulties in enforcing or investigating workplace practices when items are manufactured overseas.
5. To date, no consideration has been given to an 'ethical sourcing policy', however, I have been advised that the Victorian Government Purchasing Board, expects to develop a comprehensive contracting policy for issue to all departments and this provision may be incorporated, together with standard clauses to the effect that manufacturers are to comply with award wages and conditions.

ATTACHMENT

Myer Knox City	S. Morecroft Shoes
Neat n Trim Uniforms	Safeman Australia
Oliver & Stevens Pty Ltd	Sanross Trading
P.B. Shoes	Scottish Pacific Business
Panther's Mensland	Sensational Seconds Shoes
Pascoe Vale Sportscentre	Sim's Sports Store
Platypus Outdoors	Solway Clothing
Positive Wholesale	Speeds Shoes
Primac Associations Pty Ltd	Sports Power Sunbury
Protector Safety Pty Ltd	State Supply Service
Rarity Shoes	Sussan Corp
Rays Disposals Tent City	Target Australia
Reilloc Pty Ltd	Uniform Boutique
Robinsons Mensland	Willard Clothing
Rodney Mark Pty Ltd	Williams the Shoeman
Rogues	Wittners Australia

Note: Some uniform/protective items have also been purchased through the use of the government corporate card — however, the time and resources required to detail individual transactions/suppliers is not available.

Regional development: employee uniforms

(Question No. 377)

Mr THOMSON asked the Minister for Police and Emergency Services, for the Minister for Regional Development:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr GUDE (Minister for Regional Development) — The answer is:

1. One
2.

Paul Mason Pty Ltd	J. Boag Clothing P/L	W.B.J. Knitwear
648 Nicholson St	104-110 Albert St	158 Burgundy St
North Fitzroy	Brunswick	Heidelberg
3. The suppliers were originally selected on the basis of price, quality and as a Victorian or Australian manufacturer.
4. Inquiries have been made of each supplier on whether outworkers are used in the production of uniforms and assurances have been given by each that this is not the case.

5. The Victorian Government Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any federal awards.

Local government: employee uniforms

(Question No. 378)

Mr THOMSON asked the Minister for Planning, for the Minister for Local Government:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr MACLELLAN (Minister for Planning) — The answer supplied by the Minister for Local Government is:

1. One employee — a ministerial transport officer.
2. During the period the ministerial transport officers were administered by the Department of the Premier and Cabinet, the following suppliers were used and it is probable that some uniform components were supplied by one of the following tailors:

Paul Mason Pty Ltd	Fairmark Pty Ltd
648 Nicholson Street	81 High Street
North Fitzroy	Preston
3. Quotations were obtained where necessary and in accordance with direction 5.1.2 made under the Financial Management Act 1994 from suppliers with suitable products.
4. No conclusive government-wide investigations have been carried out.
5. As a result of the recent report conducted by the Textile Clothing and Footwear Union of Australia titled 'The Hidden Cost of Fashion' and in my capacity as Minister for Finance, I have requested the Victorian Government Purchasing Board to review its purchasing policies and consider what action can be taken to address the issue of ethical sourcing across the government sector.

Aged care: employee uniforms

(Question No. 380)

Mr THOMSON asked the Minister for Community Services, for the Minister for Aged Care:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr JOHN (Minister for Community Services) — The answer supplied by the Minister for Aged Care is:

1. The time and resources required to collate and provide details of how many individual departmental employees are supplied with uniforms cannot be justified as the information is not readily available.
I am, however, able to advise that departmental expenditure for the eleven month period ending 23 June 1995 totals \$237 176 for staff clothing and footwear as coded within the department's chart of accounts. It should be noted that this total includes protective clothing which is significant in a department of this size and operation however, such clothing is not generally defined as uniform.

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Details also exclude external agencies including public hospitals, ambulance service, etc. for which details are not available within the department.

2. The attached listing details suppliers who have provided staff clothing/footwear (including protective clothing items).
3. A competitive process is undertaken to determine suppliers in accordance with the Financial Management Act and the supply policies and guidelines of the Victorian Government Purchasing Board.
4. I am not aware of any investigations being undertaken by this department or within the Victorian government regarding the use of outworkers under conditions of gross exploitation, including child labour. Companies manufacturing in Australia are regulated by federal and state legislation and I have been advised there are considerable difficulties in enforcing or investigating workplace practices when items are manufactured overseas.
5. To date, no consideration has been given to an 'ethical sourcing policy', however, I have been advised that the Victorian Government Purchasing Board, expects to develop a comprehensive contracting policy for issue to all departments and this provision may be incorporated, together with standard clauses to the effect that manufacturers are to comply with award wages and conditions.

ATTACHMENT

Able Plastics	Myer Doncaster
Action World	Myer Eastland
Alexanders Menswear	Myer Melbourne
Alsafe Safety Industries	Myer Ballarat
Amare Safety	Myer Bendigo
Anti Cancer Council Shop	Myer Eastland
At-Call Safety Wear	Myer Knox City
Atkinson Textiles Pty Ltd	Neat n Trim Uniforms
Aty-Call Safety Wear	Oliver & Stevens Pty Ltd
Beechworth Emporium	P.B. Shoes
Betts & Betts	Panther's Mensland
Bowater Tissue Ltd	Pascoe Vale Sportscentre
Bushs Produce Stores	Platypus Outdoors
Can't Tear Em Pty Ltd	Portsmans
Cushen Clothing Company	Positive Wholesale
D. Rosenberg Shoes	Primac Associations Pty Ltd
De Nittis Safety International	Protector Safety Pty Ltd
Dunlop Footwear	Rarity Shoes
Dynamic Safety Supplies	Rays Disposals Tent City
F.R. Timmins Pty Ltd	Reilloc Pty Ltd
Fitzgeralds & Co	Robinsons Mensland
Forges of Footscray	Rodney Mark Pty Ltd
Free n Easy Uniforms	Rogues
George Taylor Stores	S. Morecroft Shoes
G-Sew	Safeman Australia
Healesville Footwear	Sanross Trading
Hiltons Fashion Stores	Scottish Pacific Business
J. Blackwood & Son Ltd	Sensational Seconds Shoes
J.P. Billings	Sim's Sports Store
Just Uniforms, Geelong	Solway Clothing
K Mart	Speeds Shoes
Katies Stores	Sports Power Sunbury
Kevin Maddens Menswear	State Supply Service
King Gee Clothing	Sussan Corp
Kriskens Merchants	Target Australia
Lights Central Store	Uniform Boutique
M.L. Stevens	Victorian Hospitals Association
Madison Belts	Willard Clothing
McWhisters Mensland	Williams the Shoeman

Millers Mensland
My Size
Myer Chadstone

Wittners Australia

Note: Some uniform/protective items have also been purchased through the use of the government corporate card — however, the time and resources required to detail individual transactions/suppliers is not available.

Gaming: employee uniforms

(Question No. 381)

Mr THOMSON asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

- (1) There are no employees of the Victorian Casino and Gaming Authority that are supplied with uniforms or part uniforms.
- (2) Not applicable.
- (3) Not applicable.
- (4) Not applicable.
- (5) Not applicable.

Arts: employee uniforms

(Question No. 382)

Mr THOMSON asked the Minister for Police and Emergency Services, for the Minister for the Arts:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer supplied by the Minister for the Arts is:

Six agencies within my administration supply uniforms or part uniforms to employees. The responses to parts 1 to 5 of the Question are given separately for each agency.

A comprehensive contracting policy containing provisions for ethical sourcing is expected to be issued by the Victorian Government Purchasing Board within the next few months. Such policy, when available, will be circulated to all agencies under my administration.

Geelong Performing Arts Centre

1. 36
2. Neat N' Trim Geelong
Roger David
Garment Art

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3. Neat N' Trim selected because of its very close proximity to the centre.
Roger David stock an appropriate competitively priced suit.
Garment Art was located close to the centre and was able to supply competitively priced T-shirts.
4. No investigations have been undertaken regarding the manner in which these uniforms were manufactured. It is assumed that companies manufacturing in Australia are operating in accordance with federal and state legislation.
5. This matter is under consideration by the Geelong Performing Arts Centre Trust.

National Gallery of Victoria

1. 78
2. Scuttle Clothing Pty. Ltd.
3. Uniform suppliers were invited to submit tenders to supply uniforms over a period of three years. The most competitive tender able to meet the requirements was selected.
4. Scuttle Clothing is Australian owned and has stated that all work undertaken outside of their own factory is by registered businesses within Australia and that suppliers are sought firstly from manufacturers in Victoria, then Australia. Scuttle Clothing is a Victorian company, and therefore, is regulated by federal and state legislation.
5. The gallery attempts, where possible, to source Australian made goods in the first instance. Scuttle Clothing Pty. Ltd. is a Victorian company and, therefore, is regulated by federal and state legislation.

Victorian Arts Centre Trust

1. Approximately 200.
2. John Cavill is contracted to supply these uniforms.
3. John Cavill designed the original uniform in consultation with John Truscott during his tenure as artist in residence at the Victorian Arts Centre. John Cavill owns the design of these uniforms.
4. No investigations have been undertaken regarding the manner in which these uniforms were manufactured. John Cavill is an Australian company and, therefore, is regulated by federal and state legislation.
5. At the time the contract with John Cavill was entered into such a policy had not been considered.

Museum of Victoria

1. 60
2. Collections Design Group
Australian Tie Company
Fairmark Australia
Melbourne Tailoring
Cushion Clothing
Florsheim Australia
Neat N' Trim
Collections Designer Group
Designer Uniforms
Rodney Ties
Myer
3. Selection based on quotes, service and quality, availability of same style and fabric.
4. The museum established that all garments were Australian made and therefore subject to state and federal legislation. No further investigations were undertaken.
5. The museum has a policy of using Australian made goods where possible and understands that manufacture will be regulated by federal and state legislation.

State Library of Victoria

1. Approximately 39
2. Cushen Clothing Pty. Ltd.
3. Quotes were obtained from uniform suppliers, successful tenderer was selected on basis of lowest cost.
4. Cushen are Australian distributors of Yakka Clothing, an Australian garment company whose products are manufactured in Australia. However, Cushen's purchasing manager has indicated that one item of uniform supplied to security officers is made in Asia.
5. This matter is under consideration by the State Library of Victoria.

Information Victoria

1. T-shirts and windcheaters are supplied to staff for wear during promotions and are returned after the event.
2. Qualitops Pty. Ltd.

3. Qualitops Pty. Ltd. were selected on the basis that they were a local manufacturer and were able to supply the required garments at a reasonable price.
4. Qualitops is a Victorian company, and therefore, is regulated by federal and state legislation.
5. Information Victoria has a policy of using Victorian and Australian made goods where possible and understands that manufacture will be regulated by federal and state legislation.

Tertiary education and training: employee uniforms

(Question No. 383)

Mr THOMSON asked the Minister for Education, for the Minister for Tertiary Education and Training:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr HAYWARD (Minister for Education) — The answer supplied by the Minister for Tertiary Education and Training is:

1. One employee is supplied with a uniform or part uniform, that being the ministerial transport officer (MTO).
The companies which supply the uniform to the MTO include:
Paul Mason Pty Ltd
J. Boag (Clothing) Pty Ltd
W.B.J. Knitwear
3. The above suppliers were originally selected on the basis of price, quality and as a Victorian or Australian manufacturer.
4. Inquiries have been made of each supplier on whether outworkers are used in the production of uniforms and assurances have been given by each that this is not the case.
5. Ethical sourcing policy:
The Victorian Government Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable federal awards.
The board expects to develop a comprehensive contracting policy for issue to all departments in the next few months and provisions regarding ethical sourcing are likely to be incorporated.
Universities, TAFE colleges, regional councils of adult, community and further education and other providers of tertiary, community and further education and training are self-governing bodies responsible for any uniforms or part uniforms supplied to their employees.

Vicroads: recycled concrete

(Question No. 384)

Mr THOMSON asked the Minister for Public Transport, for the Minister for Roads and Ports:

1. What the outcome was of investigations by VicRoads to identify road making applications where use of recycled concrete is suitable?
2. Whether VicRoads has taken action to increase its own use of recycled concrete inputs for construction purposes; if so, what action has been taken?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

1. The Roads Corporation (VicRoads) commenced investigations in 1989 to assess the suitability of recycled concrete for road making, referred to by VicRoads as a class 3 sub-base material. As a result of these investigations and a close consultation with the supplier, a specification was developed which immediately led to the supply of significant quantities of the product to municipal works in the metropolitan area.

- Following further investigations in 1993, approximately 230 000 tonnes of crushed concrete was placed in road pavements between 1993 and mid-1994. This includes approximately 110 000 tonnes which was used on the Western Ring Road as a cement stabilised crushed concrete sub-base for deep strength asphalt pavements.
2. VicRoads has always encouraged the conservation of high quality road making materials wherever practicable by not specifying such materials in locations where they are not warranted.
- In addition, VicRoads has developed an environment strategy which includes an undertaking to work with the construction industry to maximise the safe, cost-effective use of 'environmentally friendly' materials, including recycled materials, in road pavements, surfacing and road furniture.
- The difficulty with most 'non-standard' recycled materials is managing the variability of these materials and being able to reliably predict their future in-service performance.
- The problem has been approached by VicRoads developing specifications for non-standard materials to meet similar requirements to standard materials so that long term performance is not compromised. This has allowed the use of recycled crushed concrete for both bound and unbound pavement sub-base.
- The continued development of performance based specifications will encourage the use of non-standard materials, which may have quite different physical properties to those of standard materials, once systems are developed to predict their in-service performance.
- VicRoads has also developed its environment strategy which contains an action statement which states that 'VicRoads will work with the construction industry to maximise the safe, cost-effective use of 'environmentally friendly' materials, including recycled materials, in road pavements, surfacing and road furniture'.
- The honourable member will also be interested to know that VicRoads has joined with the Australian Earthmovers & Contractors Association (Victorian Branch) as the Road Industry of Victoria (RIV). The RIV has developed an industrial waste reduction agreement with the Environment Protection Authority. Under this agreement the RIV will take appropriate steps to minimise wastes created by its activities; recover recycle or re-use those wastes and reduce litter.
- The environment strategy and the industrial waste reduction agreement would cover the use of many recycled products including recycled crushed concrete.

Education: foreign language programs

(Question No. 385)

Dr COGHILL asked the Minister for Education:

What foreign languages are taught in Victorian government schools with the use of television programs, indicating for each language — (a) the number of students and the number of classes at each year level; (b) the number of schools; (c) the number of classes at each year level in which — (i) a teacher fully qualified to teach the language; and (ii) no teacher with training to teach the language, is present in the classroom throughout the school year during interactive television broadcasts; (d) the number of classes at each year level which are provided with facilities for direct, immediate interactive communications with the teachers whose tuition is broadcast through interactive television programs; (e) the number of students with whom each teacher has facilities to communicate in the course of each program; and (f) the name and address of each agency or corporation providing program contents?

Mr HAYWARD (Minister for Education) — The answer is:

In 1995, Chinese, French, German, Indonesian, Italian and Japanese are being delivered through the Interactive Satellite Learning Network to students in Years 3 to 6 through the Primary Access to Languages via Satellite (PALS) project.

(a)	Language/Year Level	Victorian Government School Students
	Chinese — Years 3/4	651
	Chinese — Years 5/6	659
	French — Years 3/4	1 957
	French — Years 5/6	2 342
	German — Years 3/4	2 145
	German — Years 5/6	1 948
	Indonesian — Years 3/4	9 918
	Indonesian — Years 5/6	15 032
	Italian — Years 3/4	5 216
	Italian — Years 5/6	8 636
	Japanese — Years 3/4	6 673
	Japanese — Years 5/6	9 836

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Data on the number of classes at each year level are not available.

- | (b) | Language | Number of Victorian Government Schools |
|-----|------------|--|
| | Chinese | 13 |
| | French | 51 |
| | German | 62 |
| | Indonesian | 280 |
| | Italian | 147 |
| | Japanese | 200 |
- (c) (i) and (ii) PALS support materials are designed to enable classroom teachers without LOTE qualifications to support their students with the program. However, many qualified LOTE teachers are also using the PALS broadcasts and/or support materials to extend their LOTE programs. Data on teacher qualifications are not presently available.
- (d) and (e) All Victorian schools receiving broadcasts live have the facilities to interact by telephone with the teacher/presenter(s) in the studio during broadcasts and by facsimile. Schools are able to telephone the studio on a toll free 1800 number. Facilities are available for up to 5 students to interact with the presenter(s) at any one time. Because of the large numbers of schools and students participating in PALS programs, several schools are generally rostered for interaction for each broadcast. Opportunities are also provided from time to time for any school that wishes to telephone the studio to interact with the teacher/presenter(s). On average 3-6 schools and 6-12 students per broadcast interact with the presenter(s).
- (f) LOTE and ESL Section
 Quality Programs Division
 Directorate of School Education
 GPO Box 4367
 Melbourne, Victoria 3001
- OTEN Media Unit
 Department of School Education
 831 George Street
 Haymarket, New South Wales 2000

Vicroads: B-double vehicles

(Question No. 386)

Mr THOMSON asked the Minister for Public Transport, for the Minister for Roads and Ports:

Whether the minister has approved any applications for b-double trucks on Victorian roads; if so, what are the details of those applications?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

The Minister for Roads and Ports has not approved any application for B-double trucks on Victorian roads.

The Roads Corporation (VicRoads) has authority to approve applications for the operation of B-double vehicles on Victorian roads in accordance with the provisions of the Road Safety Act and regulations and established guidelines. VicRoads has issued a general permit for B-double vehicles to operate as from 1 February 1995 on suitable Victorian highways and freeways in Victoria. A permit was also issued by VicRoads approving the use of specified declared main roads and some selected local roads by B-doubles as from 1 July 1995. B-double vehicles travel on these roads as-of-right and no individual permit is required.

A general permit for all the abovementioned roads was published in the *Victorian Government Gazette* (S59) of 26 June 1995.

Vicroads: B-double vehicles

(Question No. 387)

Mr THOMSON asked the Minister for Public Transport, for the Minister for Roads and Ports:

Whether the minister has received any application seeking approval for b-double trucks to travel on the Tullamarine freeway; if so — (a) what action the Minister has taken concerning that application; (b) what assessment of safety, noise and other relevant factors was carried out before any such application was approved or rejected; and (c) where would such trucks travel once they got to the end of the freeway?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

The Minister for Roads and Ports has not received any applications for B-double trucks to travel on the Tullamarine Freeway.

The Roads Corporation (VicRoads) has authority to approve applications for the operation of B-double vehicles on Victorian roads in accordance with the provisions of the Road Safety Act and regulations and established guidelines. VicRoads has issued a general permit for B-double vehicles to operate as from 1 February 1995 on suitable Victorian highways and freeways in Victoria. This permit includes the Tullamarine Freeway.

A general permit was also issued by VicRoads approving the use of specified declared main roads and some selected local roads by B-doubles as from 1 July 1995.

B-double vehicles travel on these roads as-of-right and no individual permit is required.

The current description of applicable roads was published in the *Victorian Government Gazette* (S59) of 26 June 1995.

Education: newspaper supplements

(Question No. 396)

Mr PANDAZOPOULOS asked the Minister for Education:

1. What the cost to date is of the Department of Education supplement printed regularly in the *Herald Sun*, since 3 October 1992?
2. What the cost to date is of the Department of School Education supplements in all suburban and country newspapers?

Mr HAYWARD (Minister for Education) — The answer is:

This expenditure relates to the Directorate of School Education:

1. \$193 452.67
2. \$184 279.76

City Link: advertising

(Question No. 397)

Mr PANDAZOPOULOS asked the Minister for Public Transport, for the Minister for Roads and Ports:

In relation to expenditure incurred to date by the City Link Authority:

1. What the cost was of advertisements placed in daily and suburban newspapers?
2. What the number was and cost of any promotional leaflets issued by the authority?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

The specific information sought by the honourable member in relation to expenditure by the Melbourne City Link Authority for the period to 2 June 1995 is as follows:

1. The authority has advised that the cost of placing the 'Life will certainly improve ...' advertisements in metropolitan daily and local suburban newspapers was \$193 193.80.
2. Two colour brochures were produced. In both cases 5000 copies were produced and printed at a total cost of \$37 173.00.

Vicroads: registration renewals

(Question No. 398)

Mr PANDAZOPOULOS asked the Minister for Public Transport, for the Minister for Roads and Ports:

In relation to an adjournment item raised in the Legislative Council on 23 May 1995 concerning the issuing by VicRoads of registration renewals:

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1. What the cost was to VicRoads of the 13 000 duplicated motor registration renewals sent out to customers?
2. What the name was of the private operator contracted to conduct the mailout?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

The following information is provided in respect of the issue relating to the duplication of motor registration renewals: The Roads Corporation (VicRoads) advised that in March 1994, a technical problem with the computer generated vehicle registration database resulted in the duplication of a mailing list of registration renewals. The program error was rectified and action undertaken to safeguard the registration system against this type of problem.

In answer to the honourable member's specific questions:

1. The impact of the isolated incident was an additional cost of \$29 012 and an increased number of telephone inquiries to VicRoads and to the Transport Accident Commission.
2. The private contractor was not held responsible for the problem. Accordingly it would be considered unfair and derogatory to identify the contractor within the context of this incident.

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Roads and Ports: entertainment expenses

(Question No. 177)

Mr PANDAZOPOULOS asked the Minister for Public Transport, for the Minister for Roads and Ports:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister's office; and (b) itemised details of all expenditure in excess of \$500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

Department of Transport:

The Department of Transport has provided the following total entertainment expenditure in respect of the roads and ports portfolio which has been recorded for fringe benefits tax purposes. The department's records do not enable the easy identification of the specific detailed information being sought.

1992-93 (After 3 Oct)	1993-94 (To 8.12.94)	1994-95
\$510	\$1856	\$219

Note: Specific purchases of beverages which may include alcohol have not been included as this was the subject of another specific question on notice (No. 144) by the honourable member.

Roads Corporation:

The financial information extracted by VicRoads indicate total costs incurred for entertainment of \$35 745 in 1993-94 and \$41 867 in 1992-93. Details of instances such as date incurred, cost, number of guests, purpose and name of service provider are not available. To obtain such information would involve the use of considerable cost and resources which cannot be justified. Should the honourable member identify any specific area of interest every effort will be made to provide relevant information.

Marine Board of Victoria:

The following information has been provided in respect of the Marine Board and the State Boating Council. The information has been recorded for fringe benefits Tax purposes. The records do not enable the easy identification of the specific details being sought and to extract the information would be an unnecessary cost and burden on resources.

1992-93	1993-94	1994-95 (To 8.12.94)
\$1815	\$2213	\$1103

Port of Melbourne Authority:

The authority's financial records are kept on computer for the current year and the preceding year. Records prior to that time are stored in archive. While the Authority has provided the following information in respect of the total entertainment expenditure for 1993-94 and 1994-95 (to 27 January 1995), the task of identifying detailed information in respect of previous years and specific expenditure over \$500 would be an undue cost and burden on the authority's resources.

1993-4	\$21 712.75
1994-95 (to 27.1.95)	\$30 500.60

In the main, such expenditure was incurred for trade and development functions such as shippers function, chairman's christmas cocktail function, reception held in honour of Melbourne Osaka sister ports relationship and a number of smaller board functions. Should the honourable member identify any specific area of interest every effort will be made to provide relevant information.

Port of Geelong Authority:

The authority advises that the total expenditure incurred by the authority on entertainment since 3 October 1992 is \$17 017.55. This information has been retained for fringe benefits tax purposes only and to identify the specific details being sought would be an unnecessary cost and burden on resources.

Port of Portland Authority:

The Port of Portland Authority's records are not retained in a form which allows easy identification of the detailed information being sought. To compile the information would involve considerable cost and resources which cannot be justified. Should the honourable member wish to identify a more specific area of interest the Authority will endeavour to provide relevant information.

Electricity distributors: consumption figures

(Question No. 334)

Dr COGHILL asked the Minister for Energy and Minerals:

In respect of accounts issued by each electricity distributor, whether the figures shown as meter readings of electricity consumption are the actual quantities recorded on electricity meters in all cases; if not — (a) what criteria or factors determine when meter readings do not form the basis of the figures; (b) what proportions and categories of accounts are involved; (c) what the basis is of the figures included in such accounts; (d) what was the proportion of accounts in which the figures are higher than those calculated on the basis of recorded consumption in the previous comparable periods; (e) what was the total consumption recorded on accounts issued in the most recent billing period, the estimate of the actual consumption having regard to losses of electricity normally occurring in the distribution system, and the comparable figures for the previous financial year; (f) whether any electricity distributor has received any direction, guideline or other communication affecting this matter, indicating the details and source(s); and (g) whether consumption figures in accounts have been inflated to make any authority more attractive and/or higher value to prospective purchasers?

Mr S. J. PLOWMAN (Minister for Energy and Minerals) — The answer is:

- (a) It is the practice of all distribution businesses to obtain actual meter readings and render accounts based on those readings. In the event that actual meter registrations cannot be obtained, accounts are rendered on the basis of estimated registrations, or, on occasions registrations as advised by the customer. The circumstances for estimated accounts are set out in section 3.1 (d) of the 'Supply and Sale Code' (published in the *Government Gazette* 3 October 1994) which states:
 - (d) Bills may be based upon estimated data where:
 - (i) physical access to the meter is denied, whether as a result of the actions of the franchise customer, third parties, or because of safety reasons;
 - (ii) circumstances such as weather conditions, industrial disputation, etc prevent meter readings being obtained on particular occasions; and
 - (iii) erroneous recordings are made by the metering equipment (including time switches) whether arising from failure of such equipment (intermittent or otherwise) interference by unauthorised persons, physical damage or otherwise.

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In the circumstances described in (iii) the amount properly payable, unless otherwise agreed, will be determined by reference to prior billing history and by meter reading subsequently taken by DistCo. Accounts will be adjusted where necessary.

Notwithstanding anything contained in this clause, meters shall be read at least once in any 12 month period.

It is also a requirement of the code (clause 2.3 (h)) that:

- (h) The franchise customer will at all times make available to DistCo's officers or agents, together with their equipment, a safe convenient and unhindered access to DistCo equipment on the franchise customer's premises for any purposes associated with the supply, metering or billing of electricity, the inspection and/or testing of the electrical installation, or the removal of trees, structures or vehicles as referred to above provided that official identification is produced by such officers or agents on request.
- (b) Division into categories of estimated accounts would involve the deployment of considerable resources and cannot be justified. The DB's have however provided information from various billing periods indicating the proportion of accounts rendered and read including those estimated.
 - Eastern Energy: During the ten month period 1 July 1994 to 30 April 1995, a total of 1 664 760 accounts were rendered to customers within Eastern Energy's supply area. Of this total 25 460 estimated accounts were rendered, representing 1.5 per cent of all accounts rendered.
 - Powercor: For the twelve months ended December 1994, 3 200 000 meters were read. A total of 45 650 estimated readings were taken, representing 1.4 per cent of total readings.
 - United Energy: For the period March 1995 to May 1995, 550 000 accounts were rendered. 13 000 of these were estimated, representing 2.35 per cent of accounts.
 - Citipower: During April 1995, 97 011 meters were read of which 3457 were estimated, representing 3.5 per cent of readings.
 - Solaris Power: During the period 1 May 1995 to 31 July 1995, 236 092 accounts were rendered of which 5397 were estimated, representing 2.3 per cent of accounts.
- (c) In the preparation of an estimated account for a particular installation or premises where the customer is unchanged, the automated 'customer information system' relies primarily on levels of electricity consumption previously recorded at such installations or premises for the equivalent of the preceding years.
 - If the customer was not in occupation for the corresponding period of the previous year, the immediate past bill is used combined with a seasonal variation factor.
 - If the customer has no billing history (ie: the bill being estimated is the first bill rendered to the customer), an average of the consumption of all customers on the same tariff, for the particular local geographic district is billed.
 - Any inaccuracy in an estimated account, whether it is an undercharge or an overcharge, is automatically corrected when the next actual meter reading is obtained.
- (d) As explained in the answer to (c) above, the basis of estimation varies depending upon the circumstances of each customer in relation to occupancy of the premises and the billing history. Neither the SEC, ESV nor the DB's have maintained records which would provide the comparison sought.
- (e) The consumption of electricity at a particular premises or location is measured by a meter or meters installed at same. Customers are therefore only billed for electricity actually consumed at their premises. However losses of electricity do occur in the distribution system and are recovered in tariff charges and constitute a very small component.
 - In terms of actual consumption recorded the DB's have provided the following information: (It should be noted that there is no uniform billing period as meters are read on a continuous day to day basis. As a result new billing periods start every day)

DISTRIBUTION BUSINESS	PERIOD	CONSUMPTION
Eastern Energy	1 July 1993 to 31 March 1994	3405 GWh
	1 July 1994 to 31 March 1995	3620 GWh
Solaris Power	1 July 1993 to 31 March 1994	2413 GWh
	1 July 1994 to 31 March 1995	2600 GWh
United Energy	1 July 1994 to 31 March 1994	4395 GWh
	1 July 1993 to 31 March 1994	4012 GWh
Powercor	1 July 1994 to 31 March 1995	5464 GWh
	1 July 1993 to 31 March 1994	5123 GWh
Citipower	April 1994	301 GWh
	April 1995	304 GWh

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(f) No.

(g) No.

International treaties

(Question No. 347)

Dr COGHILL asked the Premier:

What is the name of each treaty, convention and other international agreement under consideration by the commonwealth government on which Victoria has been consulted since October 1992, indicating in each case — (a) the Victorian government agencies and other bodies requested to provide comment; (b) the date and manner in which the matter was raised with each house of the Parliament of Victoria; and (c) the date on which the response of Victoria was forwarded to the commonwealth?

Mr KENNETT (Premier) — The answer is:

I am informed that the procedures for commonwealth consultation with the states on international treaties are currently being considered by the two bodies: the Standing Committee on Treaties and the Senate Legal and Constitutional References Committee inquiry into the external affairs power of the commonwealth. The Standing Committee on Treaties will report back to the next COAG meeting, while the Senate inquiry is expected to report in late September.

The states and territories recognise that there is a pressing need to reform Australia's treaty making process. Under the 1992 principles and procedures for commonwealth-state consultation on treaties, information about treaty discussions is meant to be forwarded to the premiers' / chief ministers' departments on a regular basis through the Department of the Prime Minister and Cabinet. This has not occurred; commonwealth officers frequently liaise directly with their counterparts in state line agencies without informing the central agency. Accordingly, no state is currently in a position to provide the name of every international arrangement on which it has been consulted.

States and territories are seeking to be formally consulted about every treaty in which they have an interest. The states propose that the forum in which consultation occurs will depend on the significance of the treaty. Strategic treaties will be considered by a treaties council composed of the Premiers, Chief Ministers, and the Prime Minister, while a Ministerial Council nominated by the Standing Committee on Treaties will consider treaties which are of less strategic importance. The states and territories are also proposing that a Standing Committee on Treaties should prepare an annual report on the treaty consultation process and present it to premiers and chief ministers who may table it in states' and territories' Parliaments.

The states and territories propose that every treaty should be subject to the approval of the commonwealth Parliament before it is ratified. The approval procedure, which would be similar to the procedure for the approval of subordinate legislation, would resolve many of the current problems with accountability, consultation and information.

Australia-Sweden health agreement

(Question No. 348)

Dr COGHILL asked the Premier:

In respect of the bilateral treaty between Australia and Sweden being an exchange of letters constituting an agreement to amend article 1(1) of the Agreement on Medical Treatment for Temporary Visitors of 14 February 1989, whether it was referred to the Victorian government for comment; if so — (a) when and to whom it was addressed; (b) to whom it was referred for comment or advice by the Victorian government; (c) when a response was sent; and (d) what comment or advice was provided in the response?

Mr KENNETT (Premier) — The answer is:

I am informed that a federal government cabinet decision in 1985 authorised the Minister for Health to negotiate health agreements with other countries. A reciprocal health care agreement with Sweden was signed on 14 February 1989 and came into effect on 1 May 1989. Although the Victorian government was not consulted, the commonwealth Minister for Health, Dr Neal Blewett, notified the Victorian Minister for Health, the Hon. C. Hogg, MLC, by letter on 14 February 1989. No reply was sent.

The agreement was amended by exchange of letters on 27 January 1995 — effective 1 February 1995 — to exclude Swedish students from cover under the treaty. The Victorian government was not consulted about the amendment.

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Natural resources: employee uniforms

(Question No. 352)

Mr THOMSON asked the Minister for Natural Resources:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr COLEMAN (Minister for Natural Resources) — The answer is:

Information in relation to the supply of uniforms is contained in the attached table. The definition of uniforms has been interpreted to exclude protective clothing, corporate wardrobes and clothing purchased with allowances.

Due to the widespread practice of sub-contracting within the textile and clothing industry, it is not always possible to ascertain the actual manufacturer of some uniforms. Companies manufacturing in Australia are regulated by federal and state legislation but there are considerable difficulties in enforcing or investigating workplace practices when uniforms are manufactured overseas.

The Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable federal awards. I understand that the board expects to develop a comprehensive contracting policy for issue to all departments and provisions regarding ethical sourcing are likely to be incorporated.

ATTACHMENT

SUPPLY OF UNIFORMS IN THE NATURAL RESOURCES PORTFOLIO

	1.	2.	3.	4.	5.
Department of Conservation & Natural Resources (CNR)	Approximately 1700	Cushen Clothing Pty Ltd Fletcher Jones Pty Ltd Bella Knitwear Pty Ltd	Tender process is in accordance with Victorian Government Purchasing Board guidelines	Yes. CNR specifies that contractors shall not subcontract work without CNR's written approval	Yes, as for 4.
Ministerial Transport Officers	2	Paul Mason Pty Ltd J Boag (Clothing) Pty Ltd B J Knitwear	Purchased on individual basis	Not applicable	No
Alpine Resorts Commission	Nil — distinctly marked protective clothing only	Not applicable	Not applicable	Not applicable	No
Melbourne Water (MW)	Approximately 300 (day labour force)	Can't Tear 'Em Pty Ltd Thomas Cook Clothing Coverall Clothing Pty Ltd Australia Wide Clothing Manufacturers Strides Ahead Clothing	Purchases with value exceeding \$20 000 publicly advertised. Where amount exceeds \$50 000, a formal contract is established.	No. MW not aware of any contravention of state or federal legislation. Wherever possible, MW encourages local manufacturers.	No. MW not aware of any case of outworker exploitation.
City West Water*	Nil	Not applicable	Not applicable	Not applicable	No
South East Water	Approximately 150	Can't Tear 'Em Pty Ltd	Public tender process	No	No, but new contract for supply of uniforms about to be tendered. Consideration

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					will be given to inclusion of such a provision in contract.
Yarra Valley Water	40 Customer Services Officers and approx. 100 field staff	Working Images (Customer Services uniforms) Can't Tear 'Em (outdoor uniforms)	Tendering process	No	Supply contracts stipulate that contractors will comply all laws, with judgments etc.
Victorian Institute of Marine Sciences	Nil	Not applicable	Not applicable	Not applicable	No
Victorian Plantations Corporation	Approximately 100	King Gee Clothing Company Top Level Pty Ltd Bella Knitwear Pty Ltd W L Gore & Associates	Competitive quotes, joint arrangements with CNR & product evaluations.	No – covered by industrial laws and awards as appropriate	No

* City West Water has investigations underway for the supply of uniforms to some staff, and will take the issues raised into consideration during that process

Police and emergency services: employee uniforms

(Question No. 361)

Mr THOMSON asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member's question is attached.

(Attachment referred to in answer has been supplied to honourable member and a copy tabled in the Parliamentary Library).

Corrections: employee uniforms

(Question No. 362)

Mr THOMSON asked the Minister for Corrections:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?

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5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member's question is attached.

ATTACHMENT

	1.	2.	3.	4.	5.
Correctional Services Division	1353 custodial staff	A range of suppliers are contracted to supply uniform items. This list is an indication of the types of companies involved. This is not complete. Major Australian Defence Ind. Baxter & Co. Florsheim Aust. Holeproof Textile House Fairmark Free'n Easy Uniforms T D Noone Sales King Gee Clothing Co. Minor M Reiner & Co. P Blashki & Sons Feild's Knitwear Mountcastle Pty. Ltd. Messer & Opie Adsport International La rose Leathergoods	Tenders are called in line with Treasury regulations or in instances of minor items, three quotations are obtained to seek the most economical and satisfactory supplier.	Each supplier is checked out prior to purchase. This issue has arisen and we have argued successfully to employ companies who employ on-site staffing despite the fact that the cost is slightly higher.	This has not been a priority as we are able to investigate suppliers prior to engaging their services.

Tourism: employee uniforms

(Question No. 363)

Mr THOMSON asked the Minister for Tourism:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr McNAMARA (Minister for Tourism) — The answer is:

Tourism Victoria staff are not issued with uniforms.

In addition, the Australian Grand Prix Corporation has provided the following information relevant to this question:

1. 22 staff;
2. the Jamieson Fashion Group Pty Ltd;
3. public expressions of interest followed by tender to seven companies;
4. no; and
5. no.

Finance: employee uniforms

(Question No. 368)

Mr THOMSON asked the Treasurer, for the Minister for Finance:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

1. (a) 3 Parking officers
(b) 23 Caretaking staff

(a) Parking Officers

Berensen Tailors Pty Ltd
333 Flinders Lane
Melbourne

Cushen Clothing Co Pty Ltd
102 Mahoneys Road
Thomastown

Top Hatters
259 Collins Street
Melbourne

Solomon Brothers
466 Spencer Street
West Melbourne

Fairmark Pty Ltd
81 High Street
Preston

- (b) Caretaking Staff (Outsourced on 16 June 1995)

King Gee Clothing Co
7 Stanley Street
Collingwood

3. Quotations were obtained where necessary and in accordance with direction 5.1.2 made under the Financial Management Act 1994 from suppliers with suitable products.
4. No conclusive government wide investigations have been carried out.
5. As a result of the recent report conducted by the Textile Clothing & Footwear Union of Australia titled "The Hidden cost of Fashion", I have requested the Victorian Government Purchasing Board to review its purchasing policies and consider what action can be taken to address the issue of "ethical sourcing" across the government sector.

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Attorney-General: employee uniforms

(Question No. 371)

Mr THOMSON asked the Attorney-General:

In respect of each department, agency and authority within her administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mrs WADE (Attorney-General) — The answer is:

I am informed that the information available in response to the honourable member's question is attached.

It should be noted that although judges are not 'employees' I have included information relating to them as the purchases are made by staff of my department and paid for from departmental funds.

Furthermore, I have not included information regarding non-compulsory corporate uniforms, such as those worn by some Magistrate Court staff, because they were not considered to be 'uniforms' for the purpose of this question.

ATTACHMENT

Question 1	Question 2	Question 3	Question 4	Question 5
Judges (Supreme Court) 25 Associates (Supreme Court) 25	Blashki and Sons Burwood Road, Hawthorn Ravensdale, Lonsdale Street Melbourne	There are only 2 'legal tailors' in Victoria - Ravensdale and Blashki and based upon considerations such as quality, price, measuring times and delivery time, the aforementioned firm was chosen	These robes are manufactured in Australia and their manufacture is therefore regulated by federal and state legislation concerning wages and conditions. It is expected that high quality tailors conduct their business with the highest integrity.	No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions.
Tipstaves (Supreme Court) 25	D. Ceravolo, North Balwyn J. Boag and Co., Brunswick Australian Tie Company Collingwood	3 quotes were obtained based upon quality, price and delivery time, in line with government regulations.	These uniforms are manufactured in Australia and are therefore regulated by federal and state legislation in regards to wages and conditions; and it is expected of high quality tailors to conduct their business with the highest integrity.	No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions.
Judges (County Court) 52	Blashki and Sons Burwood Road, Hawthorn Ede and Ravenscroft, London	There are only 2 'legal tailors' in Victoria - Ravensdale and Blashki, and based upon considerations such as quality, price, measuring times and delivery time, the aforementioned firm was chosen.	These robes are manufactured in Australia and are therefore regulated by federal and state legislation in regards to wages and conditions; and it is expected of high quality tailors to conduct their business with the highest integrity.	No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions, and attempts are made to use local tailors, materials and retailers as much as possible.
Associates (County Court) 51	Blashki and Sons Burwood Road, Hawthorn	2 quotes were obtained based upon quality, price and delivery time, as the uniform is not standard — small tailors cannot cope with annual purchases while large tailors find the run too small for uniform-type tailoring.	These uniforms are manufactured in Australia and are therefore regulated by federal and state legislation in regards to wages and conditions; and it is expected of high quality tailors to conduct their business with the highest integrity.	No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions, and attempts are made to use local tailors, materials and retailers as much as possible.

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Tipstaves (County Court) 49	D. Ceravolo, North Balwyn J. Boag and Co., Brunswick Australian Tie Company, Collingwood Yarra Falls provides	2 quotes were obtained based upon quality, price and delivery time, as the uniform is not standard — small tailors cannot cope with annual purchases while large tailors find the run too small for uniform-type tailoring.	These uniforms are manufactured in Australia and are therefore regulated by federal and state legislation in regards to wages and conditions; and it is expected of high quality tailors to conduct their business with the highest integrity.	No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions, and attempts are made to use local tailors, materials and retailers as much as possible.
Messengers (County Court) 2				
Car Park Attendant (County Court) 1	Berensen Tailors Cushen Clothing Fairmark Shirts Australian Tie Company, Collingwood	3 quotes were obtained based upon quality, price and delivery time, in line with government regulations, as the uniform is not standard.	These uniforms are manufactured in Australia and are therefore regulated by federal and state legislation in regards to wages and conditions; and it is expected of high quality tailors to conduct their business with the highest integrity.	No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions, and attempts are made to use local tailors, materials and retailers as much as possible.
Sheriffs Officers 170	M. Reiner and Co. Stacks of Slax Joseph Dahdah Bella Knitwear Australian Defence Industries Australian Tie Company Mountcastle Paul Mason of Sires Hellweg and Nichol.	Quotes were obtained as per the Financial Management Act.	The majority of these uniform components are manufactured in Australia and are therefore regulated by federal and state legislation in regards to wages and conditions. There are considerable difficulties in investigating and enforcing workplace practices for those components that are manufactured overseas	No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions, and attempts are made to use local tailors, materials and retailers as much as possible. The board expects to develop a comprehensive contracting policy for issue to all departments in the next few months and provisions such as 'ethical sourcing' are likely to be incorporated.

Fair trading: employee uniforms

(Question No. 372)

Mr THOMSON asked the Minister for Fair Trading:

In respect of each department, agency and authority within her administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mrs WADE (Minister for Fair Trading) — The answer is:

I am informed that staff members of the Office of Fair Trading do not wear uniforms.

Women's affairs: employee uniforms

(Question No. 373)

Mr THOMSON asked the Minister responsible for Women's Affairs:

In respect of each department, agency and authority within her administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?

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4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mrs WADE (Minister responsible for Women's Affairs) — The answer is:

I am informed that staff members of the Office of Women's Affairs do not wear uniforms.

Roads and ports: employee uniforms

(Question No. 374)

Mr THOMSON asked the Minister for Public Transport, for the Minister for Roads and Ports:

In respect of each department, agency and authority within her administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

Department of Transport:

The following information is provided in respect of uniforms provided to employees of the department whose duties are related to the roads and ports portfolio:

The Ministerial Transport Officer (MTO) is provided with a uniform. When requested the Department of Transport provides new or replacement garments from Paul Mason Pty Ltd.

The supplier is required to meet legal requirements relating to the services being provided including compliance with the terms of individual and collective employment agreements and any applicable federal awards.

In respect of the Victorian Taxi Directorate (VTD):

1. Thirty employees of the VTD are issued with uniforms.
2. Jamieson Fashion Group Pty Ltd, trading as Coronet Fashion
3. Quotes were obtained from three potential suppliers.
- 4 & 5 The directorate entered into the agreement on the understanding that uniform suppliers comply with all relevant legislation, including the terms of individual and collective employment agreements and any applicable federal awards.

Roads Corporation (VicRoads):

1. There are approximately 500 VicRoads employees supplied with uniforms or part uniforms.
2. The following companies hold contracts to supply uniforms or part uniforms to VicRoads:
Fletcher Jones & Staff Pty Ltd — corporate uniform knitwear items.
Australian Defence Industries Ltd — corporate uniform items other than knitwear.
3. All uniforms are supplied to VicRoads under formal contracts following public tender. Assessment of tenders is based primarily on the best value for money and follows published government purchasing guidelines.
- 4 & 5 Inquiries are made as part of the tender assessment process to ensure that the potential contractor does not propose to produce uniform garments under the types of conditions described in the honourable member's question. All of the contractors listed above have provided satisfactory assurances that all garments will be manufactured by workers employed in conformance with all relevant legislation, including the terms of individual and collective employment agreements and any federal awards to which the contractor is bound.

Marine Board of Victoria:

Uniforms are not provided to employees.

Port of Melbourne Authority:

- 1 192 employees of the PMA are supplied with uniforms.
- 2 There are three main suppliers — Cushen Clothing, Can't Tear'Em and King Gee Clothing.
- 3 Suppliers are invited to submit a tender for the supply of specified items of clothing and itemised prices are fixed for an agreed period of time, generally six months. Selection of the supplier is based on price, delivery time and quality.
- 4 & 5 The authority follows the Victorian Government Purchasing Board's recommendation that all uniform supply manufacturers are to comply with the terms and conditions of individual and collective employment agreements and any federal awards.

Port of Geelong Authority:

The authority does not provide any employees with uniforms or part uniforms.

Port of Portland Authority:

- 1 The authority provides uniforms to its thirty four employees.
- 2 Fletcher Jones Ltd
- 3 The successful supplier was selected after assessment of a number of potential suppliers and consultation with staff.
- 4 & 5 Preference was requested for an Australian manufacturer. The supplier is required to comply with the Victorian Purchasing Board recommendation that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable federal awards.

Firearms: definition

(Question No. 389)

Dr COGHILL asked Minister for Police and Emergency Services:

In respect of the device described as a 'zip gun' produced outside the Camberwell Civic Centre on 30 July 1994:

1. Whether the device was examined to determine whether it appeared to be a firearm within the definition provided in the Firearms Act 1958; if so, with what result?
2. Whether the minister received advice indicating that the device was, or was not, a firearm within the definition provided in the Firearm's Act 1958, if so, indicating — (i) the source; (ii) the date; and (iii) the nature of that advice?
3. What was the date on which the device was first examined by the Victoria Police, indicating — (i) the circumstances in which it came into their possession; (ii) from whom it was obtained; (iii) the date on which it next passed out of the possession of the Victoria Police; and (iv) the name of the person to whom it was passed on that occasion?
4. Whether the device again came into the possession of the Victoria Police; if so, indicating — (i) the source, (ii) the date; and (iii) the subsequent disposition of it?
5. Whether any decision was made not to test before a court the application of the definition of firearm in the act to the device; if so — (i) when; (ii) by whom; and (iii) why?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member's question is set out below.

1. The device was examined by a firearm examiner who concluded the contrivance could not be reasonably mistaken by a person to be a genuine pistol. It was not capable of discharging any shot, bullet or other missile.
2. The minister was advised that there was no breach of the firearms legislation arising from the incident outside the Camberwell Gun Show on 30 July 1994. This advice was supplied to the minister through a letter to the Deputy Director, Police, Emergency Services and Corrections Directorate, Department of Justice from the Registrar of Firearms on 28 November 1994.
3. (i) The device was provided to the police during an interview at the Altona North CIB offices on 31 August 1994.
(ii) The device was obtained from Mr Leslie Jack Twentyman.
(iii) The device has not passed out of police possession since it was obtained.
(iv) Refer to (iii) above.
4. The device has not passed out of police possession since it was obtained.
5. (i) October 1994
(ii) The decision was made by senior police in 'J' District (Altona North)

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- (iii) The Victoria Police Force regards the current definition of 'firearm' in the Firearms Act as appropriate. It was not considered necessary to test the application of the definition to the object in question. The 'zip gun' did not fall within this definition and could be described as nothing but a child's crude toy.

Conservation and natural resources: departmental housing

(Question No. 392)

Mr LEIGHTON asked the Minister for Natural Resources:

Whether he is aware of a threat made by the Department of Conservation and Natural Resources, in response to a request by the State Public Services Federation to open up the process of deciding the future of Government Employee Housing Authority properties, that the department would remove all GEHA properties; if so will the minister ensure that this threat will not be carried out?

Mr COLEMAN (Minister for Natural Resources) — The answer is:

I am advised that in all the relevant communications with the State Public Services Federation, no such threat was ever made or implied by the department. Furthermore the department has recently confirmed the retention of some 90 houses for departmental employees. This clearly demonstrates that the allegation is without foundation.

Conservation and natural resources: remote living allowances

(Question No. 393)

Mr LEIGHTON asked the Minister for Natural Resources:

In respect of remote living allowances received by officers within the Department of Conservation and Natural Resources:

1. What further locations are under consideration by the department for the payment of remote living allowances?
2. Whether the allowances attach to the office or the officer?
3. What are the details of officers within the department in receipt of remote living allowances; indicating —
(a) the locations; (b) the quantum received by each officer; (c) the criteria for receiving the allowance; (d) the formula for calculating the allowance; (e) the number and percentage of officers in each region in receipt of the allowance?

Mr COLEMAN (Minister for Natural Resources) — The answer is:

1. A revised arrangement for the payment of remote living allowances was put in place on 1 January 1995. This increased the number of locations where an employee may be entitled to a remote living allowance from 11 to 40. There are no other locations being considered by the department.
2. The allowance is payable to employees working at nominated locations who apply for the allowance and who are assessed as satisfying eligibility criteria.

Government Employee Housing Authority: demolished or removed properties

(Question No. 394)

Mr LEIGHTON asked the Treasurer, for the Minister for Finance:

In relation to Government Employee Housing Authority properties that have been demolished or removed or listed for demolition or removal, what are the addresses of such properties, indicating in each case whether they have been demolished or removed, or listed for demolition or removal?

Mr TOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

There are 39 Government Employee Housing Authority properties currently listed for demolition or removal. The addresses of these properties are listed on Schedule A. Forty-four (44) properties have been demolished or removed during the previous twelve months. Addresses of those properties are listed on Schedule B.

Schedule A

Properties currently listed for demolition or removal:

Depot, Murray Valley Highway, Lake Boga
 Zumsteins Recreational Area, Zumsteins
 c/- Post Office, Toolamba
 2 Mallee Research Station, Walpeup
 6 Mallee Research Station, Walpeup
 Lot 1 Pound Bend Road, Warrandyte
 Lot 2 Pound Bend Road, Warrandyte
 Lot 3 Pound Bend Road, Warrandyte
 'Stan Brae', 14 Boys Road, Wonga Park
 44 Perra Street, Ferntree Gully
 2 Serendip Wildlife Reserve, Lara
 You Yangs Forest Park, Lara
 Creswick Nursery, Creswick
 State Nursery, Macedon
 South Australian Border, Taplan Gate
 Residence 2, Snobs Creek Hatchery, Snobs Creek
 Residence 5, Snobs Creek Hatchery, Snobs Creek
 Residence 6 Snobs Creek Hatchery, Snobs Creek
 Residence 7, Snobs Creek Hatchery, Snobs Creek
 Residence 8, Snobs Creek Hatchery, Snobs Creek
 Residence 9, Snobs Creek Hatchery, Snobs Creek
 592 Ramu Avenue, Tremont
 Via Morwell National Park, Churchill
 4 Mt. Napier Road, Hamilton
 4 Potato Research Station, Toolangi
 Carmel Avenue, Mount Waverley
 The School Residence, Merrigum Road, Lancaster
 Koorlong Avenue, Irymple
 267 Brunswick Road, Jewell
 Paradise Beach
 Churchill Park Drive, Rowville
 School Residence, Newstead
 30 Railway Avenue, Laverton
 32 Railway Avenue, Laverton
 34 Railway Avenue, Laverton
 12 Early Street, Gisborne
 1 Railway Place, Charlton
 5 Railway Place, Charlton
 403 Station Street, Lalor

Schedule B

Properties demolished or removed:

Clarks Road, Kiata
 Wyperfield National Park, Wyperfield
 10 Railway Avenue, Pakenham
 12 Railway Avenue, Pakenham
 14 Railway Avenue, Pakenham
 Wright Street, Elphinstone
 22 Trent Street, Burwood
 11 High Street, Dimboola
 Diamond Street, Eltham

Youth Road, Eltham
 777 Main Road, Hurstbridge
 781 Main Road, Hurstbridge
 Wantirna Road, Ringwood
 4 Railway Place, Melton
 26 Railway Avenue, Laverton
 66 Johnston Street, Keon Park
 405 Station Street, Lalor
 46 Coleman Parade, Syndal
 69 Rupert Street, Tottenham
 71 Rupert Street, Tottenham
 83 Rupert Street, Tottenham
 87 Rupert Street, Tottenham
 151 Rupert Street, Tottenham
 Greens Road, Main Ridge
 Railway Residence, Toolamba
 Railway Residence, Toolamba
 Railway Residence, Toolamba
 Railway Residence, Toolamba
 Fraser National Park, Fraser
 Residence 2, Pykes Creek Reservoir
 2 Cooma Road, Kyabram
 Serpentine Road, Dingee
 Deddick/Tubbut Road, Deddick
 525 Mickleham Road, Attwood
 545 Mickleham Road, Attwood
 13 Richardson Avenue, Werribee
 23 Richardson Avenue, Werribee
 26 South Road, Werribee
 Cnr. Campbell and McCracken Streets, Irymple
 Eatens Cutting Road, Red Hill
 Delatite Plantation, Mansfield
 Mount Worth State Park, Mount Worth
 90 Grant Street, Bacchus Marsh
 119 Heathmont Road, Heathmont

Catchment and land protection boards: budgets

(Question No. 399)

Mr PANDAZOPOULOS asked the Minister for Natural Resources:

In relation to catchment and land protection boards:

1. What the 1994-95 budget was for each board?
2. What was the amount and type of payments made to each board member?

Mr COLEMAN (Minister for Natural Resources) — The answer is:

The table below gives the budget of each regional catchment and land protection board in 1994-95, and the total amount paid in sitting fees and travelling expenses to members of the boards in that financial year.

To maintain the confidentiality of the personal affairs of board members, the amount of fees and expenses paid to each member is unable to be given.

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Regional Catchment & Land Protection Board	Budget 1994-95	Total sitting fees paid to members 1994-95	Total travelling expenses paid to members 1994-95
Port Phillip	\$40 000	\$ 7 695	\$2576
Glenside	\$40 000	\$12 100	\$6496
East Gippsland	\$40 000	\$12 020	\$3805
Corangamite	\$40 000	\$ 4 410	\$1982
Mallee	\$40 000	\$12 820	\$4323
North Central	\$40 000	\$14 305	\$3576
North East	\$40 000	\$10 365	\$2555
Goulburn	\$40 000	\$ 7 953	\$3675
Wimmera	\$40 000	\$ 9 625	\$4111
West Gippsland	\$40 000	\$ 2 115	\$3395

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Small business: media research and public opinion polling

(Question No. 263)

Mr PANDAZOPOULOS asked the Minister for Small Business:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling conducted since 3 October 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

No activities have been undertaken by agencies under my administration since 3 October 1992 that could be construed as media research or public opinion polls.

However two surveys are under way within the Office of Small Business to —

- (a) identify key issues to improve the performance of the small business sector; and
- (b) identify compliance costs faced by small business.

Community services: media research and public opinion polling

(Question No. 268)

Mr PANDAZOPOULOS asked the Minister for Community Services:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling conducted since 3 October 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mr JOHN (Minister for Community Services) — The answer is:

No media research or public opinion polling relating to the community services portfolio was conducted since 3 October 1992.

Health: media research and public opinion polling

(Question No. 269)

Mr PANDAZOPOULOS asked the Minister for Health:

In respect of each department, agency and authority within her administration, what the details are of all media research and public opinion polling conducted since 3 October 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mrs TEHAN (Minister for Health) — The answer is:

- (a) Victorian Attitude Monitoring Study.

- (b)-(e) The State Tender Board approved on 15 January 1993, a three year tracking project by A.M.R Quantum for the Department of the Premier and Cabinet. In conjunction with that project the Department of Health and Community Services made a one off payment of \$67 000 in December 1994.
- (f)-(g) Not applicable.

Small business: credit cards

(Question No. 295)

Mr PANDAZOPOULOS asked the Minister for Small Business:

In respect of each department, agency and authority within his administration, whether he will provide full details of the use of credit cards by himself, ministerial staff and departmental heads since 3 October 1992, indicating in the case of each card holder — (a) the spending limit; (b) the type of authority required for purchase; (c) criteria for issue and usage; (d) total entertainment expenses, including — lunches, dinners and alcohol; and (e) a list of all instances where expenditure exceeded \$200 per account, including — (i) the amount; (ii) the number of guests; (iii) the purpose of the function; (iv) the name of the service provider; and (v) the date of service?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

The Department of Business and Employment issues credit cards to ministers and ministerial staff primarily for use on overseas travel. They are used to pay for accommodation and other expenses associated with the travel. In the time frame requested the Minister and one adviser travelled overseas once on matters directly related to the portfolios of small business and youth affairs.

In relation to part (a) of the question the credit limits are varied as occasion dictates to a maximum of \$ 20 000.

In relation to parts (b) and (c) of the question, the cards are issued and used in accordance with the Department of Finance guidelines.

The cost and burden on government do not justify a detailed response to parts (d) and (e) of the question. The department, however, advises that there has been no use of credit cards by the departmental heads and that the following amounts were spent by specific card-holders between 3 October 1992 and 8 December 1994:

Hon. Vin Heffernan \$8936.75

Brian Loughnane \$9655.80

Small business: ethnic business organisations

(Question No. 341)

Mr LONEY asked the Minister for Small Business:

Whether the minister has received any requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies since 3 October 1992, if so — (a) how many requests have been received, indicating in each case whether the request was supported or rejected, giving the reasons in each case; and (b) whether he will provide the details of support given to any such organisation?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

No requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies have been recorded since 3 October 1992.

Whilst Small Business Victoria maintains a close working relationship with the majority of ethnic business organisations, the services provided are to individual businesses rather than business organisations and are not recorded on the basis of ethnicity.