

Tuesday, 20 April 1999

The **PRESIDENT** (Hon. B. A. Chamberlain) took the chair at 2.32 p.m. and read the prayer.

YEAR 2000 INFORMATION DISCLOSURE BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Hon. R. M. HALLAM (Minister for Finance).

LEGAL PRACTICE (PRACTISING CERTIFICATES) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Hon. LOUISE ASHER (Minister for Small Business).

OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Hon. R. M. HALLAM (Minister for Finance).

CORONERS (AMENDMENT) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Hon. LOUISE ASHER (Minister for Small Business).

QUESTIONS WITHOUT NOTICE

Yakka: Wangaratta closure

Hon. M. M. GOULD (Doutta Galla) — I refer the Minister for Industry, Science and Technology to the recent decision by Yakka to close its Wangaratta operations at the end of the financial year, with the loss of 74 jobs. What action has the minister or his department taken following the announcement to

prevent the factory's closure and the subsequent loss of those 74 jobs?

Hon. M. A. BIRRELL (Minister for Industry, Science and Technology) — Any closure or downsizing of a business is a matter of regret. I ask the honourable member to reflect on the closure in the context of what is happening in the manufacturing industry, in business in general, or even more broadly — if she wishes to stress herself — in the economy overall. If she does that, she will fulfil her role as Leader of the Opposition and bring some perspective to the role.

The Victorian economy is booming, and employment is booming. Victoria has never had higher levels of employment — ever!

Hon. D. A. Nardella — So you haven't done anything!

Hon. M. A. BIRRELL — The svelte voice of the union movement is heard once again!

That type of guttural groan might have been useful in the honourable member's previous dopey positions, but it is not in this one. He is expected to do more: he is expected to listen to answers. If the honourable member listens to the answer he will be educated — and soundly — but unfortunately he does not want to do so.

He wants to ignore, and his leader will not even comment on, the growth in employment in industry generally, the growth in employment among mature-age workers, youth, and people from non-English-speaking backgrounds, and the growth in regional employment. He does not want to talk about any of that.

The most important development he does not want to address is that the state also leads the nation in reducing unemployment. Victoria not only has the highest level of employment in its history, during the past 12 months it has led the nation — —

Hon. M. M. Gould — This is the first time in 74 months that — —

The PRESIDENT — Order!

Hon. M. M. Gould — The state average — —

The PRESIDENT — Order! In future, the Leader of the Opposition will stop the first time.

Hon. M. A. BIRRELL — As a result of establishing a strong industry policy, taking advantage of the global movement in capital and attracting new

investment, Victoria has never had a better convergence of economic figures for employment and a reduction in unemployment. The government will ensure through its outreach work that that trend continues.

Workcover: backlog

Hon. W. A. N. HARTIGAN (Geelong) — Will the Minister for Finance explain to the house, and particularly to Mr Nardella, the action that has been initiated to reduce the number of Workcover cases awaiting trial and the favourable impact that has upon the business environment in Victoria?

Hon. R. M. HALLAM (Minister for Finance) — I thank Mr Hartigan for his question because it gives me a chance to refute some of the misinformation that appeared recently in an article in the *Age* of 14 April headed 'Judges sound fears over justice quality'. The lead paragraph describes the system as being under:

'great strain' because of a glut of Workcover cases ...

That is in respect of Workcover cases going to the County Court. Many of the common-law matters issued have subsequently been dealt with by the Victorian Workcover Authority without the need to proceed to trial, and the court list has been practically managed.

In June 1998 I issued ministerial guidelines, which had the effect of reducing delays, increasing disposal rates and reducing the number of matters proceeding to trial before County Court judges. I am informed by the County Court that the system is working well.

I turn to the report on which the article was based: *County Court of Victoria — Annual Report 1998*. The report covers the year 1997–98 and therefore is effectively 12 months out of date. On page 23 it praises the management of matters on the Workcover list and states:

During the year the court was able to cope satisfactorily with its caseload in this area. Indeed, since July 1996 the number of Workcover matters issued out of the County Court has diminished markedly.

That is hardly consistent with the notion of a glut. There are challenges in ensuring that the remainder of the common-law component of Workcover is managed fairly, equitably and efficiently.

I acknowledge that there are strains in the County Court system, and that challenge has been recognised between the resources of the Department of Treasury and Finance, the Department of Justice and the County Court. There has been great cooperation and we are working our way through those strains.

Adequate resources have been directed to the issue. Should that circumstance change, the government will meet that need as it arises. I put beyond doubt that there is a glut of Workcover cases before the County Court. That is well removed from the truth of the circumstances.

Casey: road funding

Hon. PAT POWER (Jika Jika) — The Minister for Roads and Ports will acknowledge reports that his government will allocate \$52 million for the construction of a seven-lane freeway in the Docklands precinct and that that funding will come at a time when the RACV states that roads in the City of Casey are the worst in the state, with 18 tragic road deaths last year.

When will the minister act to ensure that outer suburban municipalities such as the City of Casey are provided with the necessary funds to undertake capital works programs that will make their roads safe?

Hon. G. R. CRAIGE (Minister for Roads and Ports) — I shall inform the house not only of each road project the government has funded in the City of Casey but also the extensive works it has undertaken. That is something the previous Labor government did not even attempt to undertake, let alone do anything in respect of strategic planning.

It is important that the outer suburban corridors have adequate planning and allocations of funding. I thank Mr Power for his question because I have just been presented with a brochure from the City of Casey headed 'Country Roads, City Traffic: One Year On'. The message from the mayor, Cr Janet Halsall, on behalf of the residents and the community, states:

The City of Casey has achieved a record number of urgent improvements in its main roads, which will be constructed over the next 12 months.

These have been made possible by additional funding from the state government and support from the Minister for Roads and Ports, Mr Geoff Craige.

She further states:

I'd like to acknowledge the support of local politicians: member for Berwick, Robert Dean ... and the members for Eumemmerring, Neil Lucas and Ron Wells. Each has played a part in the campaign, which has led to more funding for main roads in Casey.

She then lists each project. In 1998–99 the government will allocate \$28.3 million for the City of Casey according to the priorities set out in the strategy agreed to by the City of Casey with the Department of Infrastructure. The approved projects include

duplication of the Westernport Highway; signalisation of the Hallam Road–Coral Drive–Fordham Road intersection; upgrade of the Narre Warren–Cranbourne Road–Pound Road intersection; planning studies for Narre Warren–Cranbourne Road and the Cranbourne bypass; duplication of Narre Warren North Road; intersection improvements at Hallam Road–Pound Road and Heatherton Road–Power Road; and improvements to the intersection of Bermersyde Drive and Clyde Road.

There is more. The RACV has a list of red spot high-accident areas. The state government recently allocated \$5 million to address the top priorities and to ensure the projects are funded. One is in the City of Casey. The Cranbourne–Narre Warren Road–Pound Road intersection at Narre Warren will receive funding of \$292 000. The government has and will continue to fund roads with high crash rates on a priority basis. More importantly, the government is realistically examining outer metropolitan roads in those municipal areas.

With the City of Casey the government undertook a strategic planning infrastructure study. It announced in May 1998 that it was the first time any government had undertaken such a program to identify — in this case with the Department of Infrastructure, the City of Casey and Vicroads — a framework in which infrastructure can be delivered to the community within budget allocations.

I am pleased to advise the house that a similar study based on the same criteria is being undertaken for the City of Whittlesea, which is cooperating with the government on a program that will deliver its infrastructure for the future. In addition, the Department of State Development is working to develop a transport study for the outer western suburbs including the cities of Brimbank and Wyndham and the Shire of Melton.

It is important that the government does not adopt a scattergun approach — which I hope the Deputy Leader of the Opposition was not wanting me to do — and that it consider allocating funding according to a strategy across all metropolitan growth areas. The government can hold its head high on the way it has allocated funding for roads in outer metropolitan areas.

Health: Key to Survival program

Hon. E. J. POWELL (North Eastern) — Will the Minister for Health advise the house of government initiatives to improve the response times for Victorians who suffer cardiac arrest?

Hon. R. I. KNOWLES (Minister for Health) — The government is concerned about the number of people who die as a result of cardiac arrests, following cardiac disease. Cardiac arrest is the single largest cause of premature death. Every year more than 4200 Victorians die from cardiac arrest; half of those people die before they reach a hospital, and most of the cardiac arrests occur in the patients' homes.

The government has been seeking to address this significant issue and has developed what it is calling the Key to Survival strategy. It is the first of its kind in Australia and certainly the first of its kind in Victoria.

The strategy has two components. The first is the development of community emergency response teams in geographically isolated areas to enable more immediate responses to be made. The critical period is the first 4 minutes after a cardiac arrest; action taken in that time will often make the difference between life and death. Death occurs when people cease to breathe and oxygen does not reach the brain.

The second component of the strategy is the development of community-targeted training programs in cardiac pulmonary resuscitation, or CPR as it is commonly known. The campaign is ambitious: in the next three years the government wants to have 90 000 Victorians trained in CPR.

The government is particularly targeting those who live with people who are old or who have a history of cardiovascular disease. It has allocated \$9 million for the program over the next three years.

The Metropolitan Ambulance Service, Rural Ambulance Victoria, St John Ambulance Australia, Red Cross and the Royal Life Saving Society have lent fantastic support to the government's aim of training such a large number of people. The training consists of a 2-hour free program, and the only requirement for people who wish to undertake training is that they book on free-call 1800 77 2001.

The government hopes to organise a training program for interested members of Parliament. I urge all honourable members to promote the program in their own communities because its success requires a total community response. People should understand that the program is fairly simple.

Having completed the training, anyone who encounters a person who has suffered a cardiac arrest will be armed with the necessary information and the capacity to provide CPR, and that may well determine whether the person lives or dies because certain actions can be

taken to support the attack victim until an ambulance arrives.

I commend this important campaign to honourable members and would appreciate their publicising the strategy throughout the community so the government can reach its target of training at least 90 000 Victorians.

Small business: bankruptcies

Hon. D. A. NARDELLA (Melbourne North) — I refer the Minister for Small Business to the Insolvency and Trustee Service Australia statistics, which show there were an estimated 998 Victorian business bankruptcies in the 1997–98 financial year — that is, a rate of more than five Victorian businesses going broke every two days.

I further refer to the 1997–98 annual report of the Department of State Development, which indicates that the government's major performance targets were met. What performance measures does the Small Business and Regulation Reform Unit of the Department of State Development have in place to minimise the number of Victorian bankruptcies, and were they met?

Hon. LOUISE ASHER (Minister for Small Business) — I thank Mr Nardella for his truly astounding question. Last week he referred to the latest statistics on personal bankruptcy.

Hon. D. A. Nardella — These are business bankruptcies.

Hon. LOUISE ASHER — I am coming to that. Last week I told the house that 82 per cent of the personal bankruptcies that he referred to in his question were not related to business. Today's question specifically asks a question about business bankruptcies and is far more relevant because some bankruptcies may well affect small business, although the figures are not disaggregated into categories of large and small businesses.

I am pleased to advise the house about the most recent data on business-related bankruptcies in Victoria. I am not particularly interested in Mr Nardella's claim, but I am delighted to say that the number of business-related bankruptcies in Victoria has decreased significantly — I happen to have the figures in front of me!

I am happy to advise the house that the number of bankruptcies in Victoria in 1997–98 decreased by 11 per cent compared with a national decrease of 7 per cent.

Hon. M. M. Gould — What is the source of your figures?

Hon. LOUISE ASHER — The commonwealth Attorney-General's department — the same source as the figures quoted by Mr Nardella. I, too, want to compare figures because the house can learn a lot from them. It is particularly interesting to compare the number of bankruptcies during the years of the Cain and Kirner governments with those under the Kennett government. I will compare figures in the financial year 1991–92, the last year of the Cain and Kirner governments with those in 1997–98 — the last available figures — under the Kennett government.

Hon. D. A. Nardella — What are your performance measures?

Hon. LOUISE ASHER — You need some performance figures, Mr Nardella! That comparison shows that the number of business-related bankruptcies in Victoria has fallen by 49 per cent. I will give Mr Nardella a performance measure — look at those figures! The statistics on Victoria's share of bankruptcies are particularly interesting.

Honourable members interjecting.

Hon. LOUISE ASHER — Members of the so-called new leadership of the Labor Party were Cain–Kirner advisers; I wonder whether the question is indicative of their guiding ideology on business planning. In 1991–92 Victoria's share of business bankruptcies was 33 per cent; its share is now 18 per cent — a significant improvement. However, there is more. In 1997–98, according to the latest available figures, Victoria had the lowest number of business-related bankruptcies per capita in Australia. They are instructive figures.

It is a great shame that Mr Nardella asks questions with misleading prefaces. The two issues remaining for honourable members to consider are whether Mr Nardella is deliberately trying to mislead the house or whether the person drafting his questions is deliberately setting him up to look foolish.

Designtech Awards

Hon. N. B. LUCAS (Eumemmerring) — I am keen to get my question in before it is stolen by the opposition! Will the Minister for Industry, Science and Technology advise the house of steps taken to encourage and reward excellence in automotive design?

Hon. M. A. BIRRELL (Minister for Industry, Science and Technology) — I thank the honourable

member for his question and congratulate him on getting it asked and on going up in the pecking order. Mr Lucas is correct to draw attention to design excellence in Victoria, particularly in the booming automotive industry, which has grown so much to create the employment level that was spoken about previously.

Recently it was my great pleasure to officially launch the Designtech Awards, a government-sponsored set of awards for design excellence in the car and automotive components sectors. The award categories will cover the manufacturing, vehicle-assembly, original-equipment and aftermarket sectors, and a special award will recognise outstanding contributions by young engineers. Through this initiative the government is working with the industry — more than two-thirds of the Australian automotive industry is now based in either Melbourne or rural Victoria — to ensure that appropriate public recognition is given to the outstanding achievements of those engineers and to encourage others to excel in design.

Many honourable members would be aware that great automotive products such as cars and, increasingly, automotive components are produced in this state. Perhaps they do not realise, however, that one of the greatest skills bases of the Victorian industry is in design. At Fishermens Bend one sees that while on one side of the road General Motors makes four-cylinder engines for export to Korea, on the other side of the road — this is perhaps less understood — it employs more than 200 highly skilled workers to design the General Motors Opel brand of cars for Asia. In other words, it uses brilliant Australian designers and their brain power to produce for export designs for overseas cars; they are not making them for Asia, they are designing them for Asia. General Motors put out the bid and the work was won for Melbourne.

The General Motors experience is a good example of design excellence and the government would like to see more of it encouraged because Victoria is an international leader in the field. Victoria supplies state-of-the-art components to most of the world's major car makers and is the home to an impressive array of research and development facilities. The government, together with the industry, will recognise such achievements and looks forward to presenting the awards a few months from now. The judging will be done by a panel of leading experts from the automotive industry. The awards will send a positive message to an industry that has been a great investment attractor, a great job creator and a leader in skills and research.

Austin and Repatriation Medical Centre

Hon. M. M. GOULD (Doutta Galla) — I refer the Minister for Health to a memorandum from the chief executive officer of the Austin and Repatriation Medical Centre to department directors dated 25 February 1999, which states that the hospital expects a budget reduction of around 4 per cent in the 1999–2000 financial year. Will the minister guarantee that there will be no effective budget reduction at the Austin next year, and that the grants for outpatient compensation and the veteran and repatriation site services will not be phased out or reduced next year, as claimed in the memo?

Hon. R. I. KNOWLES (Minister for Health) — I have really already answered the question; Mr Forwood raised the matter in an adjournment debate last week. Perhaps the Leader of the Opposition might look up my answer on that occasion. I am advised that the matter is reported at page 43 of *Daily Hansard* of 14 April.

As I have already made clear, the budget will be brought down on 4 May. I anticipate that this year, as in the past five years, increased funding will be available to my department. It will use the increased funding to provide additional services and will seek to ensure that the funds are distributed around the state equitably and fairly. This year the government has provided \$28 million more funding to the Austin and Repatriation Medical Centre, enabling it to treat more than 3000 more patients this year than last year.

Turning to the two subsets in the honourable member's question, I advise that there is an issue concerning the outpatients matter, because it advantageously favours the Austin and Repatriation Medical Centre as compared with other hospitals that do not receive outpatient payments, and other hospitals have constantly raised the matter.

On the veterans payments issue, the commonwealth government has entered into a new agreement with all states and territories to operate from 1 July. The new agreement will provide a great deal more flexibility on where veterans can seek services. The government has made it clear to all hospitals that if they maintain or increase their share of veteran patients the funding from the commonwealth will flow directly to them. In a sense the commonwealth government is becoming the full purchaser of veterans services.

The government will enable public and private hospitals to compete for that work because it will provide choice to veterans. The only stipulation is that the treatment of veterans is not to have an adverse

impact on the treatment of public patients. The commonwealth government is providing quite generous funding for veterans — more than 20 per cent more than the costs hospitals incur for the treatment of public patients.

This government is absolutely committed to the ongoing maintenance of the Austin and Repatriation Medical Centre. I have every confidence that in coming years the centre will treat more patients than it is currently treating. The government is overseeing the redevelopment of the Austin and Repatriation Medical Centre on the repatriation site to ensure it will be a state-of-the-art facility that is able to deliver services into the next millennium.

Better Roads Victoria

Hon. R. S. de FEGELY (Ballarat) — Will the Minister for Roads and Ports inform the house of the government's commitment to spend one-third of the state's Better Roads funds on road projects in rural Victoria?

Hon. G. R. CRAIGE (Minister for Roads and Ports) — I place on record the support of coalition members for the Better Roads Victoria program — they have clearly recognised its importance to both rural Victoria and the metropolitan area. Since the Better Roads fund was introduced in July 1993 the government has allocated more than \$1 billion to 620 road projects; and I am pleased that it has maintained its commitment to spend one-third of the money on rural road projects.

A total of 540 projects in rural Victoria have been funded to a value of more than \$350 million, which clearly meets this government's objective of spending at least one-third of the funding in rural Victoria. The projects include the Calder Freeway, which has been funded significantly out of the Better Roads rural component, the Midland Highway, the Bass Highway, the North Arm Bridge, the Cobden-Warrnambool Road, the Bacchus Marsh-Gisborne Road and the Murray Valley Highway. Those are just a few strategically placed roads in rural Victoria.

It is important to note, however, that the former Leader of the Opposition in the other place has always opposed it and referred to it as a stupid tax. All I can do is place on the record the fact that the Honourable Pat Power has obviously made the ALP see sense. Last week the new leader of the ALP clearly said on 3WM not only that he supports the government's position on Better Roads Victoria but more importantly that he supports

the allocation of one-third of those funds to rural Victoria.

There is a slight problem. On the same day on 3AW the honourable member for Thomastown in another place, Mr Batchelor, indicated clearly to everyone listening that the ALP would have spent every cent of the Better Roads Victoria money to fund City Link. That means that under Labor no Better Roads Victoria money would have been allocated to rural Victoria. Clearly the ALP's objective would have been to fund all of City Link from Better Roads funds.

One of the things the community of rural Victoria must understand is that the ALP has no plans to spend one third of Better Roads Victoria money in rural Victoria. Clearly Labor would spend it in metropolitan Melbourne. It has no interest whatsoever in rural Victoria. Meanwhile this government continues to meet its commitment to the rural Victorian community.

Workcover: travel expenses

Hon. T. C. THEOPHANOUS (Jika Jika) — I refer the Minister for Finance to regulations enacted this year that mean that Workcover will no longer pay the travel expenses incurred by injured workers attending medical and rehabilitation treatment within a 50-kilometre radius. Given that now some seriously injured workers will have to pay taxi fares of up to \$40 to visit a doctor, will the minister review the impact of those unfair and unwarranted regulations to ensure that seriously injured workers are not disadvantaged?

Hon. R. M. HALLAM (Minister for Finance) — The short answer is no, on the basis that in many instances the cost structure had been flagrantly abused. The honourable member has unfairly described the new regulations. I am happy to put on the record that where there is a genuine claim, it shall still be met.

Hon. T. C. Theophanous — That is not what the regulations say.

Hon. R. M. HALLAM — That is the second time you have said that, Mr Theophanous.

Honourable members interjecting.

Hon. R. M. HALLAM — If we were going to use precedent in this case, I seem to recall that the thrust of the regulations is consistent with those of the Transport Accident Commission. I seem to recall also that those regulations were brought in under Labor.

Hon. T. C. Theophanous — What about making the Transport Accident Commission consistent and

bringing back common-law rights, if you are going to argue consistency?

Honourable members interjecting.

Hon. R. M. HALLAM — As all honourable members know, I would welcome a debate on common law.

Honourable members interjecting.

Hon. R. M. HALLAM — I am happy to accommodate the honourable member any time, anywhere.

Honourable members interjecting.

Hon. R. M. HALLAM — In all seriousness, I reassure the community that the new regulations have been designed to avoid misappropriation and abuse of the system and that no genuine claimant shall be disadvantaged.

Small Business Victoria: statistics

Hon. R. H. BOWDEN (South Eastern) — Will the Minister for Small Business inform the house of the latest quarterly service statistics for Small Business Victoria for March 1999?

Hon. LOUISE ASHER (Minister for Small Business) — The year-to-date figure for March this year for services from Small Business Victoria shows that something like 100 000-plus clients were serviced by Small Business Victoria, which, as members know, is the section of the Department of State Development that assists existing and intending small business operators.

I am sure that most members realise that most people who contact Small Business Victoria are intending businesses, and that is borne out again in the latest statistics. We are trying to encourage more existing businesses to contact us. In particular we are very proud of our referral services — that is, the small business counselling service and the panel of professional advisers that all our contacts are informed about if that is deemed appropriate.

Not surprisingly, the main method of contacting Small Business Victoria is by telephone. Seventy-nine per cent of overall client contacts were by telephone, although in regional areas there is a strong preference among intending and existing small businesses for face-to-face contact, with that occurring in 42 per cent of cases.

Given the opportunities afforded by modern technology, it is interesting to note that although contacts with Small Business Victoria via the Internet are very low, they are growing in popularity among the small business community, which has some broad implications for the use of that technology by that community. In January of this year there were only 2000 hits on our Internet site; by March there were 18 000 hits. The issue is not just the willingness of the small business community to try new technology; there are some real opportunities in the use of the technology that can benefit small businesses, particularly in regional areas.

We continue to receive many licence inquiries: in the year to March, there were more than 12 500. Given that we have an extensive business licence information system and inquiry service, it is particularly pleasing that businesses appear to know where to go for that information. The network of First Place and Victorian business centres spread right across the state are important, and many businesses want that contact to remain.

Next month is Small Business May, when there will be a good spread of events right across country Victoria and metropolitan Melbourne. I look forward to advising the house on future occasions of the interest in regional areas, which are such strong supporters of Small Business May.

MARINE (AMENDMENT) BILL

Introduction and first reading

Hon. G. R. CRAIGE (Minister for Roads and Ports), by leave, introduced a bill to amend the Marine Act 1988 and for other purposes.

Read first time.

COMMONWEALTH TREATY DOCUMENTS

Hon. M. A. BIRRELL (Minister for Industry, Science and Technology), by leave, presented —

- (a) bilateral agreements tabled in the commonwealth Parliament on 11 November 1998, together with national interest analyses, dealing with:

status of forces, between Australia and Malaysia

trade and economic cooperation, between Australia and Ukraine

exchange of letters amending the agreement on health services, between Australia and the

United Kingdom, Great Britain and Northern Ireland

development co-operation between Australia and Indonesia

exchange of letters constituting an agreement relating to the movement of nationals between the two countries, between Australia and France.

- (b) **bilateral agreements tabled in the commonwealth Parliament on 16 February 1999, together with national interest analyses, dealing with:**

status of their forces between Australia and New Zealand

defence communications services between Australia and the United States of America

acquisition and cross-servicing, between Australia and the United States of America

treaty on extradition between Australia and South Africa

mutual assistance in criminal matters, between Australia and Sweden.

Laid on table.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 3

Hon. P. A. KATSAMBANIS (Monash) presented *Alert Digest No. 3 of 1999, together with appendix.*

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Building Act 1993

Building Code of Australia LD Amendment No. 4.

Minister's exemption certificate under section 9(6) of the Subordinate Legislation Act 1994 and notice of Amendment No. 4 (Gazette No. S156, 31 December 1998) (two papers).

Carchment Management Council — Report, 1997–98 (two papers).

Crown Land (Reserves) Act 1978 — Minister's Order of 1 April 1999 giving approval to granting of a lease at Geelong.

Legal Ombudsman — Government response to report on Multi-Disciplinary Practices.

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

Bayside Planning Scheme — Amendment L17.

Berwick Planning Scheme — Amendment L138.

Campaspe Planning Scheme — Amendment C2.

Hepburn Planning Scheme — Amendment L7.

Knox Planning Scheme — Amendment L181.

Maroondah Planning Scheme — Amendments L29 and L30.

Nillumbik Planning Scheme — Amendments L15 and L19.

Pakenham Planning Scheme — Amendment L171.

Sherbrooke Planning Scheme — Amendment L138.

Stonnington Planning Scheme — Amendment L79.

Surf Coast Planning Scheme — Amendment L56.

Yarra Planning Scheme — Amendment L88.

Statutory Rules under the Forests Act 1958 — Nos. 39 and 40.

Subordinate Legislation Act 1994 —

Minister's exception certificates under section 8(4) in respect of Statutory Rules Nos. 36 and 38/1999.

Ministers' exemption certificates under section 9(6) in respect of Statutory Rules Nos. 34 and 37/1999.

A Proclamation of His Excellency the Governor in Council fixing an operative date in respect of the following Act:

National Parks (Amendment) Act 1998 — Remaining provisions — 15 April 1999 (Gazette No. G15, 15 April 1999).

JOINT SITTING OF PARLIAMENT

Victorian Health Promotion Foundation

The PRESIDENT — Order! I have received a letter from the Minister for Health requesting that arrangements be made for a joint sitting for the purpose of appointing two members to serve on the Victorian Health Promotion Foundation for a three-year term following the expiry of the terms of the Honourable G. B. Ashman, MLC, and Mrs J. T. C. Wilson, MP, on 22 May 1999.

I have also received the following communication:

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution:

That this house meets the Legislative Council for the purpose of sitting and voting together to elect two members of this Parliament to the Victorian Health Promotion Foundation, and proposes that the time and place of such meeting be the Legislative Assembly chamber on Wednesday, 22 April 1999, at 6.00 p.m.

Hon. R. I. KNOWLES (Minister for Health) — By leave, I move:

That this house meet the Legislative Assembly for the purpose of sitting and voting together to elect two members of Parliament to the Victorian Health Promotion Foundation and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly chamber on Wednesday, 21 April 1999, at 6.00 p.m.

Motion agreed to.

Ordered that message be sent to Assembly acquainting them with resolution.

OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL

Second reading

Hon. R. M. HALLAM (Minister for Finance) — I move:

That this bill be now read a second time.

The purpose of this bill is to amend the Office of the Regulator-General Act 1994 to improve the operation of its appeals mechanism.

The competition policy agreements signed by the Council of Australian Governments include principles for independent prices oversight and arbitration of access issues. These principles aim to ensure that the services produced by regulated industries are provided in the most cost-effective manner possible. In Victoria, the activities of the Office of the Regulator-General and the proposed amendments comply with these principles. The amendments also aim to ensure that the regulatory framework is effective and has integrity within the community and industry. The amendments to the appeals processes in the bill are designed to ensure that these objectives of the 1994 act are met.

As a result of the first appeal, the appeal process has been tested and feedback from participants has been sought. Consultation indicated that the current provisions could be further streamlined and questioned whether the provisions would accommodate a decision of the appeal panel that was not simple and unanimous. Hence the proposed amendments are necessary.

The bill will clarify the appeal process through the following amendments:

Section 38A provides for the situation when the opinion of the panel is not unanimous: first, when there is a majority of one opinion, the issue will be decided by the majority; and second, when there are three separate views the decision of the chairperson will be the decision of the panel.

Section 38B requires appeal panel members to disclose a conflict of interest and any conflicts of interest that become apparent during the appeal process. This section also outlines how such situations would be handled.

Section 38C specifies the process to be followed should a panel member become unavailable during the appeal process.

Section 38(4) clarifies the powers of the appeal panel to affirm, vary or set aside a determination of the Office of the Regulator-General.

Section 37(2)(b) clarifies the grounds of appeal.

The proposed bill will improve the operations of any appeal process that is triggered in the future.

I commend the bill to the house.

Debate adjourned for Hon. PAT POWER (Jika Jika) on motion of Hon. M. M. Gould.

Debate adjourned until next day.

YEAR 2000 INFORMATION DISCLOSURE BILL

Second reading

Hon. R. M. HALLAM (Minister for Finance) — I move:

That this bill be now read a second time.

Victorians have been hearing about the millennium bug since 1996. The Y2K issue revolves around the ability of individual computers to recognise the year 2000 given the common practice of programming only the last two digits of the year to save memory.

Given the enormous range of date-reliant technology, Y2K has the potential to cause significant disruption across the entire economy, unless it is addressed in a comprehensive and timely fashion. Inadequate remediation could cause a very broad range of services to fail. Conversely, insufficient information concerning

the extent of any risk could cause the community to overreact and undertake unnecessary and costly contingency measures with detrimental economic and social effects.

The government's objective is to ensure that New Year's Day 2000 is much the same as any other day, by locating and addressing the bug in advance, rather than simply waiting for any effect to emerge when the year ticks over. This is a truly worldwide problem, and there is no blueprint, or even experience, from which to draw. The government takes the view that, while no guarantees can or should be given, the potential for service disruption can be minimised by appropriate management in advance. And thus substantial resourcing and priority has been dedicated to an extensive remedial program.

The Victorian government believes that public disclosure of year 2000 readiness is integral to this remediation, as it will encourage the public and private sectors to work together on the millennium bug and bring an additional level of discipline to the management of the exposure.

This bill complements the Commonwealth Year 2000 Information Disclosure Act 1999, which received royal assent on 26 February, and will have effect from that date until 30 June 2001. In order for the commonwealth and Victorian legislation to work in tandem, we seek to make this bill retrospective to 26 February 1999.

Until now, the perceived threat of legal liability has discouraged private and public entities from releasing readiness statements detailing detection, prevention and remediation of Y2K processing problems. This has added significantly to the cost of developing appropriate contingency plans. The Year 2000 Information Disclosure Bill is designed to encourage voluntary disclosure and exchange of information about year 2000 readiness. It will provide limited liability protection for entities providing public information on Y2K compliance.

The Victorian government has been working since early 1996 to minimise the prospect of a break in the delivery of essential services to the public after 31 December 1999 and has been campaigning to have the private sector also undertake remedial action.

The bill reflects the government's commitment to responding to the Y2K issue, through the provision of greater certainty to those organisations wishing to disclose year 2000 readiness statements to clients and the public.

The protection provided by this bill is limited in time and narrow in scope. Protection from civil liability for a year 2000 statement will be limited to clearly identified and authorised written disclosure statements that relate specifically to year 2000 and processing activities planned to mitigate the consequences of problems relating to that processing.

Protection will also extend to a person republishing an original year 2000 disclosure statement.

The bill will not provide protection from civil action relating to:

- year 2000 disclosure statements which are made recklessly, or known to be materially false or misleading;

- actions instituted by consumers in relation to goods or services purchased following inducements provided by a year 2000 disclosure statement, such as where a product or service fails as a result of a year 2000 service failure;

- year 2000 disclosure statements made in the context of entering into a contract;

- year 2000 disclosure statements made in the context of obligations imposed by a contract or a commonwealth, state or territory law; or

- proceedings, or the exercise of regulatory or enforcement power, by a regulator or enforcement body.

A year 2000 disclosure statement will not be taken to amend a contract unless the parties agree otherwise. Provisions of the bill will not alter any intellectual property rights.

I make the following statements under section 85 of the Constitution Act 1975 of the reasons why the proposed clause 14 of the bill alters or varies section 85 of the Constitution Act 1975.

Clause 14 alters or varies section 85 of the Constitution Act 1975 to the extent necessary to prevent the Supreme Court from entertaining an action in the circumstances set out in Part 3 of the bill. Part 3 of the bill sets out the circumstances in which a person will be protected from civil liability in connection with the making of a year 2000 disclosure statement.

The reason for these limitations of the jurisdiction of the Supreme Court is to provide greater certainty to those organisations wishing to disclose year 2000

readiness statements, which subscribe to the criteria outlined, to clients and the public set out in the bill.

This bill seeks a balance in reducing barriers to disclosure of information on the one hand, and encouraging responsibility and virtuous conduct amongst those sharing information on the other. Finding such a balance will help accelerate the rate of Y2K readiness and underscore Victoria's reputation as a leader in tackling the Y2K issue.

The bill forms part of a coordinated response by the state government to the Y2K problem, which includes awareness campaigns in the public and private sectors, and a stringent testing and reporting process and is based upon the tried and true concept of Victorians working together to overcome a challenge.

In an environment that involves entities competing to find new and innovative ways to solve the Y2K issue, this bill highlights the need for that competition to be framed in a spirit of responsible cooperation. It places the common aims of government, industry and the community at the forefront of year 2000 readiness.

The government seeks bipartisan support for the introduction of this bill as a show of determination, faith and goodwill by the Parliament in the Y2K information disclosure process.

I commend the bill to the house

Debate adjourned on motion of Hon. D. A. NARDELLA (Melbourne North).

Debate adjourned until next day.

LEGAL PRACTICE (PRACTISING CERTIFICATES) BILL

Second reading

Hon. LOUISE ASHER (Minister for Small Business) — I move:

That this bill be now read a second time.

Practising certificates

This bill continues the process of reform commenced by the Legal Practice Act in 1996. Since the end of 1997, the government has been working with the legal profession in a review of the administration of the practising certificate system under which Victorian lawyers are licensed to practice law.

For many years, the practising certificate year for Victorian lawyers has been the calendar year commencing on 1 January. However, the financial year commencing on 1 July has become the standard operating unit for those carrying on a business, as well as being used for other purposes such as the assessment of income tax. Some other states already use the financial year for their practising certificate regimes. It has, therefore, been decided that the Victorian practising certificate year for lawyers should change from the calendar to the financial year.

This new system will commence full operation on 1 July 2001. In order to make the change, a transitional 18-month practising certificate period will be necessary. This will commence on 1 January 2000 and end on 30 June 2001.

In addition, the administrative requirements for applying for and issuing practising certificates have been carefully re-examined and the bill contains various provisions which will streamline and improve that process to the benefit of both the community and the legal profession.

There have in the past been situations where lawyers have practised unlicensed for some period because they have not renewed their practising certificates on time. Apart from the fact that such behaviour is a breach of the act, such practitioners are strictly no longer covered by their professional indemnity insurance during that period. It is simply not acceptable for members of the public to have their lawyers performing work for them while unlicensed and uninsured.

Accordingly, the bill sets out various steps which will ensure compliance with the requirements for renewing practising certificates. However, in return, the process for issuing practising certificates has been streamlined and lawyers will also have an extra month each year before they have to pay their practising certificate fees and an extra two months before they have to pay their insurance premiums. Practitioners who simply do things on time will therefore be financially better off as a result of these reforms.

Other amendments

The bill also includes amendments to allow the Legal Profession Tribunal to appoint additional deputy registrars. This has become necessary because of the increased jurisdiction of the tribunal which has been conferred by the act. The bill also provides for all practitioners to specify on their practising certificate application forms the roll on which they wish to be entered for the purpose of Legal Practice Board

elections. Actual voting in those elections will, however, continue to be optional.

I commend the bill to the house.

Debate adjourned on motion of Hon. D. A. NARDELLA (Melbourne North).

Debate adjourned until next day.

CORONERS (AMENDMENT) BILL

Second reading

Hon. LOUISE ASHER (Minister for Small Business) — I move:

That this bill be now read a second time.

This bill makes a number of miscellaneous amendments to the Coroners Act 1985 to improve the operation of the Victorian coronial system. The majority of the proposed amendments were requested by the State Coroner.

Coroners in Victoria are required to investigate certain unnatural deaths and fires. They carry out detailed investigations and inquests into many avoidable deaths in Victoria and are in a unique position to determine the causes of avoidable deaths and to identify trends in the causes of avoidable deaths. One of the most positive aspects of the work of coroners is that their findings and recommendations may assist in the prevention of avoidable deaths.

This bill seeks to enhance the role of the State Coroner, or any other coroner in conjunction with the State Coroner, in preventing avoidable deaths by enabling coroners to make recommendations to ministers and public authorities on any matter connected with a death or fire which is investigated. At present, coroners are only able to make recommendations to the Attorney-General. By being able to make recommendations to ministers and public authorities on matters of public health or safety, coroners will be able to play an important role in preventing similar tragedies in the future.

Findings of contribution

At present, a coroner may only make findings on the factual matters set out in section 19 of the act, including making a finding, if possible, about the identity of any person who contributed to the cause of a death.

A finding that as a matter of fact a person contributed to the death of another person could be understood as a

finding that the person is in some way legally responsible for the death. This may lead to such persons suffering from unwarranted feelings of guilt or blame. For instance, the obligation under the act means that if a person commits suicide by leaping in front of a train, a coroner is obliged to find that the train driver contributed to the cause of death, even though there may have been nothing that the train driver could have done to avoid the death. There is a very real danger that a simple finding of contribution can be misinterpreted or misrepresented, despite attempts of the coroner to explain otherwise.

To address this situation, the bill removes the obligation on a coroner to make a finding about the identity of a person contributing to the death of another person. However, the removal of this obligation does not preclude a coroner from making a finding of contribution in appropriate cases under existing provisions of the act.

The bill also makes a number of other amendments to the act:

the State Coroner will be able to reopen an inquest or hold a new inquest in certain limited circumstances;

coroners will be given a discretion to hold inquests into certain deaths rather than being obliged to hold inquests where an inquest would serve no useful purpose;

the period within which coroners may respond to requests to hold inquests into deaths will be extended;

inquests into deaths reported before the commencement of the act will be able to be reopened or reheard under the act instead of the Coroners Act 1958;

the Victorian Institute of Forensic Medicine will be given the power to store tissue for therapeutic purposes under the Human Tissue Act 1982;

inquests will no longer be able to be held before a jury; and

coroners will be given the power to award costs in limited circumstances.

Section 85 statement

It is the intention of clause 5 of this bill to alter or vary section 85 of the Constitution Act 1975. I therefore make the following statement under section 85(5) of the Constitution Act 1975 to set out the reasons for altering

or varying that section. Clause 14 of this bill is included to satisfy the requirements of section 85 of the Constitution Act 1975 in respect of the changes to the jurisdiction of the Supreme Court effected by clause 5.

Clause 5 of the bill amends section 5 of the Coroners Act 1985. Under the proposed section 5(2), persons will no longer have the right to apply under the Coroners Act 1958 for an order to have a new inquest held into a death or fire reported to a coroner under that act. Instead they will be required to apply under section 59 of the current Coroners Act. To facilitate this new procedure, the proposed section 5(3) invests the Supreme Court with the jurisdiction to hear such applications under section 59 of the current Coroners Act. Under that section, the Supreme Court may order a new inquest or that an inquest be reopened. Any new inquest or reopened inquest would be conducted in accordance with the current Coroners Act.

These amendments will allow a coroner investigating a death to avoid having to conduct an inquest under the old act, under which the procedure is lengthy and complex. The benefits of being able to hold an inquest under the new act are that the inquest can be conducted under the simpler and quicker procedures provided for in the new act. This justifies indirectly removing the Supreme Court's jurisdiction to order new inquests under the Coroners Act 1958 in respect of deaths and fires reported under that act.

The bill will enhance the role of the State Coroner in preventing avoidable deaths and also improve the operation of the coronial system in Victoria.

I commend the bill to the house.

Debate adjourned on motion of Hon. D. A. NARDELLA (Melbourne North).

Debate adjourned until next day.

STATUTE LAW REVISION (REPEALS) BILL

Second reading

Debate resumed from 13 April; motion of Hon. M. A. BIRRELL (Minister for Industry, Science and Technology).

Hon. M. M. GOULD (Doutta Galla) — The opposition does not oppose the bill, which will repeal more than 250 acts that the Scrutiny of Acts and Regulations Committee has identified as outdated. The transitional provisions contained in two of the acts the bill will repeal will be retained through the insertion of equivalent provisions in two other acts.

Hon. M. T. LUCKINS (Waverley) — I am honoured to speak on the bill as the chairperson of the Redundant Legislation Subcommittee of the bipartisan, joint parliamentary Scrutiny of Acts and Regulations Committee. The subcommittee has reviewed the acts on the Victorian statute book with a view to reducing their number and complexity and making all Victorian legislation accessible to those people in the community without legal backgrounds. I welcome the opposition's support of the bill.

The Redundant Legislation Subcommittee was established in 1994 to review redundant and unclear legislation. It has worked closely with the Chief Parliamentary Counsel, Ms Rowena Armstrong, whom I thank for her continued support. The subcommittee has been fortunate to have had all the ministers working with it, advising on the acts they have found to be worthy of review. The ministers appreciate the subcommittee's advice to their departments.

Since the first report of the Redundant Legislation Subcommittee was published in 1994, the government has repealed 641 unproclaimed provisions, unproclaimed acts, spent acts and spent amending acts. Annexed to that report was the first draft Statute Law Revision Act, which was enacted by Parliament in 1995.

The committee's third report on redundant and unclear legislation, which was published in December 1997, included a draft of the current Statute Law Revision (Appeals) Bill. The bill proposes the repeal of 286 further acts, the majority being fairly recent, dating back only to about 1967. That demonstrates the work the committee has done to clear the statute books. When the subcommittee first reviewed statutes, it found redundant legislation dating back to 1896!

I also acknowledge the assistance of my committee members: Mr Katsambanis, who represents Monash Province, and the honourable members for Sandringham, Coburg and Bendigo West in the other place. I commend the bill to the house.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

TATTERSALL CONSULTATIONS (AMENDMENT) BILL

Second reading

**Debate resumed from 14 April; motion of
Hon. R. M. HALLAM (Minister for Finance).**

Hon. M. M. GOULD (Doutta Galla) — The opposition does not oppose the Tattersall Consultations (Amendment) Bill, which deals with lottery tickets and validates — in some cases retrospectively — the 10-cent levy collected by Tattersalls on behalf of the government on the relatively new Tattersalls lottery product known as Phonelotto. The levies collected by Tattersalls have been regularly paid into general revenue. The current legislation allows for a 10-cent levy to be collected on tickets purchased over the counter. However, with Phonelotto the tickets are not handed over to the players, which is the reason for the retrospectivity. The opposition believes the measure is appropriate.

Phonelotto was introduced by Tattersalls for a number of reasons, primarily to maintain its share of Victorian gaming revenue by providing a service that assists the elderly and isolated and others who are not able to get to a Tattslotto agency to buy their Tattslotto or Powerball tickets. Those persons will no longer be required to ask friends and relatives to purchase their tickets for them or to face the inconvenience of having to get to a Tattslotto agency to buy their tickets.

Appropriate safeguards are in place to ensure that the law is not broken. Under-age persons do not have automatic access to the Phonelotto service. Before they are able to use the service they have to go to a Tattslotto agency to buy a Tattslotto card or provide credit card details. The opposition contacted Tattersalls to raise its concerns about under-age purchases. However, Tattersalls, which also supports the bill, has clarified the situation.

Many people, including some members of this house, have been buying their weekly Tattslotto ticket since the game's introduction in 1972. About 10 years ago I won \$900 in Tattslotto, and I have never bought a Tattslotto ticket since. I took my money and ran, because I believe the chances of picking the six numbers are of the order of 8 000 000 to 1! It is interesting to note that since the introduction of Tattslotto, more than 200 Victorians have become instant millionaires, having been lucky enough to be that one person in 8 million to pick the six winning numbers. Nearly 190 lucky people have won Tattslotto, and 14 have won Powerball.

Tattersalls has to maintain its market share by introducing new products. The bill will ensure that weekly subscribers to Tattslotto tickets, in particular those who are unable to visit Tattslotto outlets, can provide their numbers over the telephone. Technology has overtaken us. When the legislation was originally introduced the 10-cent tax had to be handed over the counter. It was not foreseen that one could pick up the telephone, give a code number and have numbers registered in one's name.

Tattersalls understands that it has to maintain its market share with other competitive gaming markets, such as gaming machines, the racing industry and so on. The bill is an appropriate measure and the opposition understands it will retrospectively enable funds to be paid into government coffers. The opposition does not oppose the bill.

Hon. R. H. BOWDEN (South Eastern) — I support the Tattersall Consultations (Amendment) Bill, which introduces acceptable developments in state revenue and community activities. The conduct and operation of Tattersalls has been longstanding and is well respected in the community.

The bill is another example of the fact that governments should continually finetune legislation in response to technology. The bill enables disabled members of the community or those who have difficulties attending accredited Tattslotto agencies to participate in the indulgences of their choice. It is wise to finetune legislation to ensure that the significant amounts contributed to the state's revenue are protected. That revenue should flow through to the government which in turn returns it to the community in an orderly and easily understood transparent way.

While Phonelotto may be compared with other gambling activities, it is deemed to be modest. However, it will continue to grow over time and become significant. The introduction of Phonelotto and the ability to acquire products and services by telephone is a positive move. Tattersalls has the responsibility of providing safeguards to ensure that tickets are not placed in the hands of those who should not have them. The bill also introduces an equal base for taxation purposes.

Depending on the product itself, a high degree of sensitivity is involved. The bill provides that all aspects, from revenue collection to community interests, will be treated fairly. It will validate all past subscriptions beyond doubt and validate the remittance of the 10-cent ticket levy to the government. The total contribution to government revenue by Tattersalls operations is

approximately \$700 million. The revenue alluded to in the bill may be a small part of that but it will grow and therefore the government must be responsible about acquiring and distributing those funds for the benefit of the community.

Clause 5 allows an operator to accept subscriptions to lotteries or games when tickets are not physically issued. Clause 6, the main clause of the bill, inserts section 6AA into the principal act to impose a 10-cent levy. It puts both the size and relativity of the levy beyond doubt. Clause 7 clarifies the legitimacy and accuracy by which the payments will be deducted and forwarded to the government.

The bill is clear and further evidence of the government's aim to introduce quality regulations and revisit and continue to finetune important legislation, and I support it.

Hon. M. T. LUCKINS (Waverley) — I am pleased the opposition supports the Tattersall Consultations (Amendment) Bill, which recognises an anomaly and brings Phonelotto into line with other Victorian lotteries. Clause 6 inserts section 6AA into the principal act and makes clear that the 10-cent levy imposed on subscriptions to Tattslotto sold over the telephone applies as it would to tickets sold through accredited Tattslotto agencies. The bill has a retrospective aspect to it. There was no provision for Tattersalls to collect the 10-cent levy and pass it on to the government.

As a member of the Scrutiny of Acts and Regulations Committee, I examined the bill. *Alert Digest* No. 2 states:

The committee is of the opinion that the retrospective validation of past levies collected and paid into the consolidated fund are not objectionable in the circumstances.

Tattersalls has been involved in lotteries since 1881 when George Adams organised a sweep on the Sydney Cup. From those humble beginnings in Sydney, Tattersalls has grown to become Australia's second largest private company and the Victorian government's third-placed contributor of revenue. Tattersalls pays a net \$700 million a year into the state's coffers. Each year close to \$300 million is received as lottery duty and \$400 million from electronic gaming machine taxes.

The 10-cent levy will be paid by the lottery player at the point of sale. The government is ensuring that regardless of whether a ticket is bought over the counter or the telephone, the purchaser is liable for the levy.

Tattersalls has a lottery network of about 900 outlets. In his will George Adams, who died about 10 years after having established Tattersalls, provided that his commitment to philanthropic work would continue well after his death. That has happened. I have been involved with a number of Tattersalls projects. The organisation may make an extraordinary profit out of gaming revenue, but it also gives an extraordinary amount back to the community — probably more than most organisations would.

Tattersalls has established a monthly award for enterprise and achievement which is presented to unsung heroes. They include people in the community who do extraordinary work in different areas of expertise and commitment. Each monthly winner receives \$5000, which can be passed on to his or her nominated beneficiary, which more often than not is the community organisation with which the winner is involved. Every year a monthly winner is eligible to win a \$20 000 award for a nominated beneficiary, and the yearly winner receives a personal prize of \$10 000.

In the past six months I have had the pleasure of presenting two such awards. The first was to the founder of the Bonnie Babes Foundation, Ms Standfield-Porter. I am privileged to be a patron of that organisation, which raises funds for research into miscarriage and stillbirth. The second award I had the privilege of presenting was won by an absolutely inspirational lady, Suzi Duncan. Suzi contracted polio at age one but did not let that stop her from achieving anything — whether it be cycling to school with her feet strapped to the bike pedals or hiking up Mount Everest. She has done a great deal for the Australian community and has worked extensively in South America, South-East Asia, China and Japan. In addition she has worked in a refugee camp for tuberculosis patients in the Sudan and at a leprosy colony in India. Suzi is committed to working with others less fortunate than she. In 1989 her physical condition deteriorated.

Suzi received an award for developing a mechanism to allow people without the use of their legs to fly aeroplanes. She is a fully licensed flying instructor operating from Moorabbin Airport.

Another organisation to have benefited from the support of Tattersalls and the George Adams foundation is Very Special Kids in Malvern. It was established in 1985 by Sister Margaret Noone and received from the government the gift of an historic property in Glenferrie Road, Malvern. Very Special Kids operates a hospice and volunteer service for children affected by life-threatening diseases such as

muscular dystrophy, cystic fibrosis, genetic conditions, AIDS-related illnesses and cancer.

Since 1993 David Jones, the managing trustee of Tattersalls, has been chairman of the Very Special Kids foundation and has ensured the foundation's continued success and growth by providing \$5 million over five years to enable it to continue to operate the hospice with future certainty on a sound financial basis. This year Tattersalls will support the foundation's Piggy Bank Week, as it did last year, with the donation of funds raised through accredited Victorian Tattersalls agencies with piggy banks on their counters. Last year Piggy Bank Week raised \$276 000, which was matched dollar for dollar by Tattersalls. This year Very Special Kids aims to raise at least \$1 million through its Piggy Bank Week campaign.

The coordinated effort and commitment of David Jones of Tattersalls together with the trustees of the George Adams estate has ensured that members of every local community, whether it be in a small country town or in Melbourne, can contribute to a good cause. I will not go into the details of what is a basic bill. I commend it to the house.

Motion agreed to.

Read second time.

Third reading

Hon. R. M. HALLAM (Minister for Finance) — By leave, I move:

That this bill be now read a third time.

I thank Mrs Luckins and Mr Bowden for their contributions to the debate on the bill. I thank Miss Gould also for her contribution and support for what I believe to be an important initiative. I wish the bill a speedy passage.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

TRANSPORT ACCIDENT (FURTHER AMENDMENT) BILL

Second reading

Debate resumed from 14 April; motion of
Hon. R. M. HALLAM (Minister for Finance).

Hon. M. M. GOULD (Doutta Galla) — The opposition does not oppose this fair and rational amendment to the Transport Accident Act. The purpose of the bill is to replace the rate at which domestic services are calculated for the purpose of assisting those who were engaged in housekeeping duties in an unpaid capacity before an accident took place. Those domestic services include the reasonable cost of housekeeping, child care, services of a domestic nature, and nursing and attendance services. The method of costing the services provided to an injured person will be substituted from one based around the equivalent of median weekly earnings to one where the actual costs are used as an indication of compensation payable.

The amendment to correct the anomaly between average weekly earnings and the real cost of providing domestic service in a household is reasonable. The basis of the payment should overwhelmingly be supported. At the moment the TAC has its preferred providers who receive an hourly rate of \$17.48. If families and friends supply that service to an injured person the rate becomes \$14.48. According to my information that amount is paid for three years for child care and home help, and for up to five years for domestic help. After five years the cost of the service will continue to be paid to an injured person for his or her household needs — such as for cleaning a particular room or bathroom, not for the general cleaning of the home.

That arrangement is similar to the TAC's arrangements with vocational providers. The bill provides for such services to go to tender. A number of providers will be paid appropriate rates to supply accident victims with the services that they deserve and to which they are entitled.

The bill is a logical amendment and the opposition believes it is good the change has finally been made — better late than never.

Hon. R. M. Hallam — Be gracious.

Hon. M. M. GOULD — I am being gracious. The opposition supports the bill.

Hon. C. A. STRONG (Higinbotham) — I support the Transport Accident (Further Amendment) Bill. I am pleased to note that the opposition also supports the bill. We hear a lot from the opposition about the failings of the various Workcover changes and about the alleged problems with the scheme. Today questions were asked about the so-called overworking of the courts in their dealing with common-law cases. The minister made it clear that is not the case.

The amendment will make the system more equitable; in essence, what the government has tried to do all along. The bill deals with what could be seen as an inconsistency in the payment for housekeeping, child care and other such help by providing that payment for such services be based on their cost as tested by contracting out, and so on, instead of being restricted to a maximum of the equivalent of average weekly earnings.

The amendment is another example of the government's ongoing reforms to Workcover. I will highlight those reforms. When the government came to office Workcover had a debt of something like \$2.1 billion, which was a huge burden on both the system and the state. The government has eliminated that debt. The government has significantly reduced Workcover premiums from 3.3 per cent to 1.9 per cent, which is estimated to have provided benefits to Victorian businesses of more than \$3 billion. Victoria now has what I believe to be the lowest Workcover premium in Australia. Victoria's premium of 1.9 per cent compares favourably to the New South Wales rate of 2.8 per cent and the Queensland rate of 2.145 per cent.

Significant savings have accrued to the Victorian economy. The Workcover reforms are one of the reasons the Victorian economy is looking so good and employment in the state is growing — that is, because this government has had the courage to make the changes required to put the economy on a sound footing. The reduced input costs for Workcover are a spectacular example of that.

The opposition and the Victorian community at large should be reminded that the changes have not disadvantaged injured workers or those who care for them. The amendment clearly illustrates that because it provides for increased payments for carers of injured workers. In fact, the Workcover reforms have dramatically benefited workers, and that is illustrated by the state's employment growth. Most workers want jobs — jobs are the best thing they can have. The government has removed the orts from the system and made it more effective. The result has been reduced premiums and enhanced growth in the state. The best thing the government can do for workers is reduce the cost of business inputs so workers can get jobs.

The bill is part of the ongoing process of significant change to Workcover and I have much pleasure in supporting it.

Hon. R. H. BOWDEN (South Eastern) — I support this important bill because it refines and expresses the

government's continuing care, concern and compassion for road accident victims.

A road accident can be an extremely traumatic experience. People injured on the road endure continual modifications to their previous lifestyles — in some cases for many years — that cause great difficulty. The heavy use and integration of vehicles into the everyday life of the community makes it necessary to have sophisticated and ongoing reviews of important legislation such as the Transport Accident Act.

I am pleased that the opposition does not oppose the bill. All honourable members recognise the need to improve legislation so that necessary services can be delivered more efficiently to unfortunate members of the community who need them.

The bill amends section 60 of the Transport Accident Act. Clause 3 substitutes proposed new paragraphs (b) and (c) in section 60(1) of the principal act. The effect of the legislation was brought home to me four weeks ago when I was involved in a significant road accident. I could have been severely injured and fully appreciate how fortunate I was to escape such injury. I believe I can now better relate to people who have been unfortunate to be severely injured and who require assistance.

The bill provides that insured persons will continue to receive the quality care they are entitled to by protecting their entitlements to housekeeping, child care and other domestic services, such as attendance by nurses and other service providers. The costs of such services have been reviewed and the bill removes the current restriction under which payments are limited to a maximum rate equivalent to average weekly earnings in Victoria. The change will enable the provision of medical and other essential services to be charged for at a more realistic community level.

In addition to ensuring that the patients who require help receive it, the bill introduces another benefit for the community at large. The providers of domestic services such as housekeeping will be able to obtain a sensible and practical market rate for the valuable contributions they make to the welfare of the people for whom they care. The bill will enhance the quality of life of people who in some cases are very much in need of services, and it will enable the TAC to compensate service providers up to an acceptable level.

As I said, the bill will benefit the whole community. With those few words, I have much pleasure in supporting the bill.

Hon. PAT POWER (Jika Jika) — I add my comments as the shadow Minister for Roads and Ports to those made by the Leader of the Opposition to emphasise Labor's position of not opposing the bill.

It is important that the house understands that the Transport Accident Commission is active not just at the sometimes sad and unfortunate end of the equation but also in an interventionist and preventative way at the beginning. Over Easter I was alerted to the fact that the Transport Accident Commission was active in encouraging motorists to travel only after they had had a rest at the end of their working week and in patterns that allowed them to have regular breaks.

I had the opportunity to call in at some of the coffee-break stops along the Hume Freeway, where people from volunteer organisations and the State Emergency Service were encouraging drivers to get out of their cars and have a cup of coffee and a walk around. That was combined with a message from the Victoria Police Force about having a so-called power nap, if necessary. That term might become part of the road safety psyche because it carries an important message. It is simple for a person who is feeling at all drowsy to pull over and have a 10 or 15-minute break.

I emphasise that for a long time the Transport Accident Commission has been as interested in preventing vehicle accident injury and death as it has in accepting its responsibility at the sometimes sad and tragic end of the equation.

Hon. M. T. LUCKINS (Waverley) — I am pleased the opposition supports the bill, which contains a single operational clause the effect of which is to remove the cap that requires the range of domestic services available to transport accident victims to be compensated at a rate no higher than average weekly earnings. The bill seeks to align the provision of housekeeping, child care and other domestic and attendant services with the provision of medical services, which are limited by what it is reasonable to provide in the circumstances. The cap on the hours provision is still 40 hours, so it is unaffected by the bill. The difference is that the actual cost of the services provided will be now compensated by the TAC.

The TAC pays out approximately \$5.6 million for housekeeping and related services. The bill will ensure that the payments are regularised and that the future cost of the services can be charged at an appropriate market rate through a tendering process that will gauge the competitive rate in the private market. Local government and other service providers have argued for some time that the average weekly earning rate that has

been fixed by the TAC is inadequate, so those organisations will welcome the bill.

Clause 3 amends section 60(1) by substituting proposed new paragraphs (b) and (c) to make the TAC responsible for paying people who provide housekeeping, child care, nursing and attendant care. As I said, it brings those payments into line with what is now paid for medical and related costs.

The TAC was established to compensate victims of transport accidents, whether involving pedestrians, bicycles, motorbikes or cars, and it is funded through the third-party insurance contributions of Victorian car owners. Its last annual report states that 40 000 accident victims received \$448 million in benefits. Any accident can have a devastating emotional as well as physical effect on the victim because it can prevent that person from fulfilling his or her obligations and responsibilities — particularly if he or she has dependants — as well as affecting his or her daily life.

For Victorians not in the paid work force, particularly those who are carers, section 60 does not provide adequate compensation for the actual cost of domestic services to enable them to fulfil the obligations they have to those for whom they have to care. For example, a woman who works unpaid at home to care for children and run a household may be disadvantaged by the existing rate for compensation, which is limited to Victorian average weekly earnings. The last reported Australian Bureau of Statistics survey on average weekly earnings was conducted in November 1998. It shows that Victorian men earned on average \$716.80 per week, while Victorian women earned \$473.90 per week.

I have contacted a number of agencies in my electorate that provide domestic and nursing services and child care to gauge the cost of replacing a person who works at home looking after children and running the household. The average cost for housekeeping, including cleaning, washing clothes and preparing basic meals, is \$13 per hour for a minimum of 2 hours. As I have young children, I suggest a person who is injured or incapacitated would need help for at least 4 hours a day to keep up with the housework. That would cost \$52 per day, or \$364 per week, which does not include child care — and we must bear in mind that Victorian women are earning on average \$473 per week.

The average cost of caring for children, no matter how many, at home is \$10 to \$12 per hour. On the assumption that the spouse is working, full-time care for 5 hours a day for five days at, say, \$10 an hour would cost \$500. On those calculations, the cost is

already up to \$864 per week, which is \$400 more than the average Victorian woman would earn or, under the current limit, would be entitled to claim as compensation to replace the services she would provide if she were able to do so.

The 1997 ABS survey shows that on average women work 180 hours per week on domestic duties, excluding eating and activities such as personal hygiene. The survey found that in an average week child care accounted for 45 hours and the purchasing of goods and services accounted for 54 hours, which means that 279 hours are spent just on child care and running a household. My one concern about the bill is that a spouse who chose to take unpaid leave from a full-time job to care for children might not be compensated for that, because a non-injured person cannot be compensated.

On the whole the bill is a tremendous leap forward and the changes it introduces are long overdue and sensible. People will be compensated on the basis of what they were doing before the accident. The bill will also have a tremendous effect on people who care for disabled or aged people. The average cost of nursing care provided by registered nurses or state-enrolled nurses is between \$31 and \$37 an hour, and people will be compensated for the cost of caring for a disabled adult or child or an elderly parent if they are unable to do it themselves.

The examples I have given demonstrate why the government has changed the formula for determining compensation. The TAC, through the Department of Treasury and Finance, will conduct a tender to ensure the prices quoted or the cost allowed to be claimed as compensation is on a par with charges in the private sector. Through the tender process the TAC will also have a list of authorised providers of services including nursing, domestic or child-care services. People will be able to deal with any number of agencies that meet the guidelines.

I have been assured that if people would prefer carers they know well to look after them in a nursing situation, or if people would prefer to look after their own children, so long as carers can be named as authorised providers accident compensation payments can be paid. That might be important to people who have always looked after their children or elderly parents; it would not only give them peace of mind but would ensure that injured people have someone known to and trusted by them to care for them.

The bill will ensure that families and dependants of victims of transport accidents do not have to deal with financial hardship and change of lifestyle as well as

coping with the trauma of having a loved one injured. The bill also provides peace of mind for victims because they will be less tempted to assume responsibility for the care of others before it is medically appropriate, as provision has been made to compensate the family for the extra costs incurred.

Mr Power mentioned the TAC's role in preventive strategies aimed at reducing the road toll and the number of accidents — not just fatalities but all accidents. I know many people involved with hospitals, and they speak of the staggering number of people who go through trauma units in state hospitals. Last financial year the road toll was 373, a fatality rate of 1.28 per 10 000 vehicles — the lowest rate ever. The number of claims by people requiring hospitalisation fell by 11 per cent. I am sure the advertising strategy undertaken by the TAC has greatly contributed to the reduction in the number of vehicle accidents over the years.

The power nap strategy launched before Easter confronted people and made them ask themselves whether it was appropriate for them to continue to drive or whether they should take a nap to refresh themselves. Operation Coffee Break has been run by voluntary organisations, particularly in country towns. I do not know whether free Kitkats are still being handed out, but it is still worth while breaking a journey. Those voluntary organisations do a tremendous job.

Some TAC advertisements are confronting and unpleasant, but if one person seeing such an advertisement improves his or her driving habits, perhaps by driving more defensively, it has been money well spent.

The provisions of the bill are long overdue and welcomed. I commend the bill to the house.

Hon. D. McL. DAVIS (East Yarra) — I support the Transport Accident (Further Amendment) Bill and regard the debate on the bill as an opportunity to briefly review the transport accident system in Victoria. In particular I will review the performance of the Transport Accident Commission and whether it is delivering benefits to Victorians — injured Victorians in particular — in a cost-effective way.

While considering the bill I read the annual report of the Transport Accident Commission to see what state the organisation was in and to examine its performance. TAC performance measures have been mentioned in the house, and I will briefly review them.

The purpose of the bill is to widen the benefits available to injured persons, lift the cap and increase TAC liability to pay for the reasonable costs for

housekeeping, child care, other services of a domestic nature and nursing and attendant services. The payment rate for such services is currently restricted to the equivalent of average weekly earnings in Victoria. The amending legislation will bring that payment rate into line with that of other medical and like services for which compensation is payable. People will have access to a wider range of services when they are needed.

I speak from several perspectives, not only as a member of the community but as a chiropractor in a health care practice. For many years I treated patients under the TAC scheme and was aware of the requirements of patients. After motor accidents — often significant and tragic accidents — people need the maximum support that can be provided to them, — not only the obvious medical services of hospitals and other paramedical and ancillary providers of care but also the core support services the bill deals with. Support services make it easier for people to recover, recuperate and undergo adequate and full rehabilitation.

During my years in practice I became aware that it is not possible to send people home during a treatment regime — after a motor accident and hospitalisation — without backup support. Not only do people need the assistance of family and friends; they need the Transport Accident Commission scheme to provide the support necessary to ensure their rehabilitation proceeds as smoothly as possible. Often home-help services are integral to that recovery.

Having treated patients over many years, I know it is vital that they receive support when undergoing treatment regimes as that leads to faster rehabilitation. Even though some additional costs may have to be met in the provision of ancillary domestic support services, often those services are well justified not only in a caring and humane sense but also in a financial sense, as they help people recuperate from accidents more quickly. The bill can be examined from that perspective as well.

What the TAC has been able to achieve is impressive. Its annual report documents a convincing story. It is interesting to read the dot points under the heading '40000 accident victims received \$448 million in benefits', which states:

Increased efforts in working with severely injured workers and their families resulted in more appropriate accommodation found for 14 lifetime care claimants.

It is important that severely injured claimants be focused on. The report continues:

Working with claimants and their treating practitioners meant fewer appeals against treatment decisions.

That is another aspect of the commission's activities. I know as a former practitioner that over a period it has developed a very effective model of management that works and does not allow costs to blow out, but at the same time focuses on treatment and rehabilitation outcomes. Over the years there has been a considerable improvement in its activities. In the mid-1980s the organisation was in many ways just a financial funnel and focused on the financial aspects rather than treatment and rehabilitation outcomes. It is no longer sufficient for the organisation to operate in that way; it needs to focus not only on the financial aspects but on achieving the best treatment and rehabilitation outcomes.

The dot points in the annual report go on to say that the commission:

achieved a real reduction in treatment costs;

developed innovative approach to litigation with establishment of TAC law ...

That refers to the internal legal unit, and it will be interesting to see how the unit works. As a person who observed the system at close range I know there is scope for further improvement in that area, and the TAC has taken a sensible lead. I commend it for investigating a different model for an internal legal unit.

The report states further that the TAC is:

... committed to help injured workers back into employment with 929 return-to-work programs run for injured workers.

As I said, the TAC has progressively become more focused on achieving treatment and rehabilitation outcomes for patients or claimants rather than just being a financial funder. Its work in prevention is equally well known and understood. The figures are so well known that I need not repeat them but simply say that last year a new low was achieved for the number of road deaths — 373 — and the fatality rate compares favourably with rates almost anywhere in the world. Again, the TAC has taken a broader role than just that of a funding organisation in managing many of the issues surrounding motor accidents, road injuries and deaths in Victoria. My colleague the Honourable Maree Luckins referred to this aspect, so I need not repeat what she said other than that the TAC leads the world in this area and its financial activities are exemplary.

In the 1980s the TAC and its predecessor the Motor Accidents Board were in deep financial crisis because of the attitude adopted by a number of people in the organisation. The TAC has now put itself on a firm

financial footing, with sensible investments resulting in capital security. Long-term claimants can be reassured of the stability of the support available.

The commission's approach is to provide a system that is both financially secure and caring and provides adequate benefits. The two areas need to work in tandem. It is interesting to make a comparison of the Victorian situation with those of other states. On the raw data available about road fatalities, Victoria compares very well. I will not review those figures as they have been mentioned by other speakers.

Victoria tends to compare itself with New South Wales, where a very different system exists. The New South Wales system is far less pure than the Victorian one, and claimants cannot have as much confidence in it. The New South Wales compensation system is based on a fault approach and provides compensation only for people injured in motor vehicle accidents that are the fault of another vehicle owner or driver; either the accident must have occurred in New South Wales or the vehicle at fault must be registered in that state. The scheme is also known as the compulsory third-party personal injury insurance scheme. Some aspect of fault must be proven in the New South Wales system.

The Victorian scheme is a no-fault scheme. It is important to make that distinction. The New South Wales scheme is also far more expensive than the Victorian scheme. However, the information I obtained from the Internet site on the New South Wales scheme shows that there may be times when claimants may not be eligible to receive compensation under the scheme. Examples include cases where the claimant was totally at fault; where no-one was at fault, such as where there was an unavoidable collision with wildlife on the road; or where the person at fault was not the owner or driver of the motor vehicle — perhaps it was a pedestrian or a cyclist. In these cases claims should be made under Medicare, private health insurance or other personal injury insurance. The distinction is important. The Victorian scheme is well managed and able to provide compensation on the basis of no fault and of the nature and severity of the injuries to the person being taken care of.

It is important also to realise that the New South Wales system is far less certain, even where fault is established and a claim is made. I speak as someone who has dealt with the New South Wales system personally.

There is no clarity about whether the benefits in Victoria will be widened under the new system. There is always some contention about what is payable, and

insecurity about whether claims will be handled in the same way as was previously the case. If the treatment regime is expanded there is always some negotiation that does not occur in other states in the same way it occurs in Victoria. We need to bear in mind that there is greater security in Victoria. The Victorian regime is also cheaper, which contributes to the two important aims of the scheme, which are financial security and the provision of the best possible benefits.

Queensland has a no-fault scheme such as we have in Victoria, but it is unclear whether that scheme provides the wide range of services available to Victorians. The Tasmanian scheme provides certain benefits to motor accident victims regardless of who is at fault. It is a no-fault scheme in the way we understand it in Victoria, and in some ways it is commendable. Although the Tasmanian scheme provides considerable support services, it is unclear whether they are equal to the services available in Victoria. I understand the Tasmanian benefits are based on percentages or pro rata amounts, which are not as generous as those provided in Victoria.

Victorians can be proud of their transport accident scheme. The widening of the benefits is a valuable step. It fits in effectively with the important aims of the scheme, which are, as I have already described, to be financially secure, to provide long-term security for long-term claimants and to do so in a financially responsible way that does not make too many demands on the broader community. The scheme already achieves those aims, and the bill is another step in delivering improved benefits.

Motion agreed to.

Read second time.

Third reading

Hon. R. M. HALLAM (Minister for Gaming) —
By leave, I move:

That this bill be now read a third time.

I make the comment that although the changes in the bill could be seen, in the grand scheme of things, as housekeeping matters, they are nonetheless important. Victoria is proud of its no-fault transport accident scheme, which is known and respected far beyond the boundaries of its jurisdiction. The amendments are designed to keep the standards of the scheme well to the fore. I thank honourable members for their contributions to an important debate.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

TRANSPORT ACTS (FURTHER AMENDMENT) BILL

Second reading

Debate resumed from 14 April; motion of Hon. G. R. CRAIGE (Minister for Roads and Ports).

Hon. PAT POWER (Jika Jika) — My comments on the Transport Acts (Further Amendment) Bill will be brief. My colleague in the other place, the honourable member for Thomastown, and I were given a full briefing on the bill by officers of the Department of Infrastructure, as is often the case with bills for which he and I have responsibility. The understanding we derived from that briefing enabled us to fully consider the intent and purposes of the bill and to decide not to oppose it.

The purposes of the bill are described as:

- (a) to amend the Public Transport Competition Act 1995 to —
 - (i) extend the length of the transitional period permitted before certain operators of road transport passenger services are required to become accredited; and
 - (ii) exempt private bus services and courtesy services in certain circumstances from the requirement to be accredited; and
 - (iii) provide for a prescribed fee for the temporary accreditation of a person to operate a road transport passenger service; and
- (b) to amend the Transport Act 1983 to repeal the provisions concerning the licensing of passenger ferry services.

Clause 4 inserts proposed section 3A(2) in the Public Transport Competition Act, which reads as follows:

Despite anything to the contrary in this act, a person who operates a private bus service or a courtesy service is not required under Part 2 to be accredited to operate that service if every bus operated by that person for the purposes of that service is hired from a person who operates a hire and drive service and who is accredited in accordance with Part 2 to operate that hire and drive service.

Clause 8 amends the Transport Act by repealing division 10 of part VI, which relates to passenger ferry services.

In his second-reading speech the minister indicated that:

The Public Transport Competition Act introduced transitional provisions for the introduction of operator accreditation. The act provided a period of time where operators with current licences were not required to be accredited. The first transitional period ends in July 1999.

Regulations needed to underpin the accreditation regime will not be in place before March 1999 due to the lengthy procedures associated with fee setting, consultation and regulatory impact statement processes.

The bill ... will extend the transitional periods to allow time for an orderly transition of a large number of applicants from licensing to an accreditation system.

As I indicated before, the fact that my colleague, the honourable member for Thomastown in the other place, and I were comprehensively briefed enabled us to conclude that the bill was not only sensible but a necessary extension of the transitional arrangements.

Another interesting aspect of the bill is the clause that provides that persons who operate courtesy buses or private bus services will no longer be required to be accredited if they hire their vehicles from persons who are accredited. When I first thought about that clause I was unsure about its intent, but now I am certain that many organisations, and schools in particular, will be able to use their funds more beneficially than spending them on purchasing and maintaining vehicles of their own.

I was initially concerned that the clause might lead to an increasing monopolisation of bus services by fully accredited operators, but having considering the gamut of options and alternatives, I believe that on a day-to-day basis it is more practical not to require organisations wishing to provide bus services to be accredited if they enter into contracts of arrangement with operators who are so accredited.

I know the minister is anxious to have a full and romantic discussion about the history of passenger ferry services, but I shall resist. It is now no longer necessary for a person operating a passenger ferry service to be administered and controlled by the Transport Act. The briefing on the bill gave a full explanation. The honourable member for Thomastown in another place and I were comforted that the Marine Act applies to passenger ferry services that operate from Cribb Point on the Mornington Peninsula across to Tankerton Jetty at French Island and then link up with the Cowes Jetty at Phillip Island.

Those with some historical knowledge of the attempts by operators to establish those ferry services know it is essential that they be regulated. The opposition was relaxed about their being regulated by the Marine Act

and that the provisions for their regulation under the Transport Act are redundant.

As recently as 1994 significant struggles took place between people seeking to operate passenger ferry services. Governments of all persuasions, ministers of varying political persuasions and even the Supreme Court sought to resolve the question. Since the bill's introduction in the other place I have travelled on the current inter-islander service. The catamaran is extremely comfortable in relatively rough water but there are some limitations to the conditions under which it can operate.

It took about 7 minutes to travel from Stoney Point to the Tankerton Jetty. I was then able to visit some of the tourist spots around French Island, including the old gaol. I reconnected with the ferry on its trip to the Cowes Jetty and on to Cribb Point. During the weekend I used the service, large numbers of people were also using it. They ranged from backpackers, who were staying overnight on French Island, to a large group from the Sri Lankan community who were having a self-catering holiday at the former French Island gaol. Some people with pushbikes were going to Phillip Island overnight. Those unfamiliar with that end of the Mornington Peninsula and the attractions of nearby French Island should be reminded that that important ferry service should be regulated and supported by the government.

The opposition is relaxed about the repealing of the section of the Transport Act that relates to the licensing of passenger ferry service operators because the circumstances are properly and thoroughly covered under the Marine Act. The opposition does not oppose the bill.

Hon. W. R. BAXTER (North Eastern) — I am pleased to join the debate on this small but important Transport Acts (Further Amendment) Bill. The changes may well be described as finetuning. That is to be expected when a situation has pertained for so long and certain services have been provided by public entities more or less without competition as a matter of course without much financial accountability. The government wants to assist not only by improving services, which is something that privatisation and competition normally engender, but also by encouraging the financial accountability that that necessarily brings.

That theory thus far in recent examples in Victoria is being proven in practice. I can understand the reasons why the transitional period for accreditation of bus operators should be extended as clearly it is a cultural change. Much consultation on practical matters must be

undertaken with the industry and other interested parties. I can appreciate that the original time lines may have proved to be too short and therefore should be extended. Getting it right is far more preferable than sticking to the original timetable and introducing regulations that may prove in a relatively short period to be inappropriate, counterproductive or simply unworkable.

I support the government's intentions and am happy to have the introduction delayed for some time until the regulations pass the proper consultative process. It is a big change in the way things are done, but I fully support the change from prescriptive licensing to accreditation. My experience with people who require licences for something, human nature being what it is, is that they tend to comply with the conditions of the licences only at both their minimum and maximum endeavours.

Accreditation on the other hand provides some incentive or reason to ensure that one maintains accreditation. One is open to criticism and is constantly on the lookout for a means of delivering a better service to the public. It makes the particular operator maintain a stance of constant endeavour and interest in the service. A topical analogy at present is whether we should have random or annual vehicle roadworthy checks.

Last weekend delegates to the National Party conference at Mount Buller debated this issue at length. The imposition of random checks, which means people do not know when their vehicles will be checked, keeps people on their toes, whereas with annual checks some people tend to leave jobs that should be done such as fitting new tyres or having lights repaired until close to the annual inspection date. I am all for a form of random accreditation that will deliver a better service and make operators keep their vehicles in tiptop condition all the time.

I refer to the conditions of accreditation contained in the principal act. It will not always be easy for operators to comply with the conditions of accreditation unless other parties play their part. Section 6 of the Public Transport Competition Act, which deals with the purpose of accreditation, states, in part:

The purpose of accreditation under this part is —

(a) to attest —

- (i) that the accredited person ... is considered to be a suitable person to operate a road transport passenger service of the kind to which the accreditation relates; and

- (ii) that the accredited person is considered to have the capacity to meet any prescribed standards relating to —
 - (A) the ability to provide road transport passenger services;
 - (B) safety of passengers and the public; and
 - (C) service to passengers.

I refer particularly to the provision concerning the safety of passengers and the public. Part of that depends on road conditions. An operator can have the best possible vehicle and have it maintained to the best possible standard, but the road on which the bus is operating will impinge to some extent on the operator's ability to meet the conditions of accreditation. The road may be defective: it may be too narrow or winding or the pavement may be in poor condition. I give as an example the road on which the school bus transports Tallangatta Secondary College and primary school students. The bus service starts in the Mitta Mitta area and travels down Yabba Road on the eastern side of the Mitta Mitta River. The Omeo Highway parallels the road but is on the opposite side of the Mitta Mitta River.

Yabba Road, which has a narrow pavement with sharp bends, is also used by logging trucks but more frequently milk tankers and other large vehicles delivering stock feed and fuel to farmers. All honourable members will have observed that in the past 10 years each of those categories of vehicles has become considerably larger than was formerly the case. No longer do companies deliver fuel in 4-tonne trucks. Milk companies do not send out tray trucks to collect milk and feed companies do not use small delivery vehicles. Yabba Road is not a suitable road to be used by a 42-seater bus to carry children to school, yet under the present arrangements the accredited operator has no option but to do so.

Why will it be difficult for the operator to meet his accreditation requirements? It is because he cannot guarantee that while travelling on that road he will not meet a large oncoming vehicle on a sharp bend beside a treacherous drop into the river.

I commend the government on its retention of free buses to carry school children; it is a valuable and longstanding service and under no circumstances should it be put at risk. However, in the circumstances I described it may well be necessary for the government, instead of using a 42-seater bus, to consider either using smaller buses or spending more money on roads that are deemed to be school bus routes. I know that when allocating priorities the Minister for Roads and Ports

considers whether certain roads should be school bus routes. The example I gave, although perhaps not unique, would be one of a small number of similar cases throughout Victoria.

About a fortnight ago, while I was visiting a farm in the Mitta Mitta valley, three teenagers who were at home on school holidays raised with me their concern about the degree of danger for passengers on a bus using that road. Many people think teenagers do not notice anything when travelling on school buses, but I was certainly affected by the case put to me, particularly by two of those young people. During the accreditation process perhaps the responsible authority should consider whether an operator can fulfil all the responsibilities to meet certain safety aspects, some of which are not under the operator's control, of buses that travel in mountainous areas. I am sure Mr Hall knows of a number of similar examples in his electorate. I intend to discuss this matter further with the appropriate authorities to see if the situation can be corrected.

I also mention how pleased I am that the privatisation process of V/Line is proceeding. I look forward to the new operator, Freight Victoria, being able to offer country Victorians who shift large volumes of freight, particularly bulk commodities, a service they have not enjoyed from the publicly operated service for many years. I have been impressed with the management of the organisation by Freight Victoria's general manager, Mr Martinus van Olsens, and believe great benefits will flow from the privatisation.

Sometimes adjoining states are less than helpful in providing competition, although I know that is not unexpected in the federation. Our friends in New South Wales seem reluctant to embrace any form of privatisation, particularly on the operation of taxis. The Victorian government can be proud of the way it has lifted the standard of the taxi industry in Melbourne and in rural areas. We are probably now seeing the last days of Victorian taxis not coloured yellow. About seven years ago — the normal operating life of a taxi — the government decided to have all Victoria's taxis coloured yellow. The fleet has been upgraded, and the vehicles are a presentable outfit when they are lined up at, for example, Melbourne Airport, but our New South Wales cousins believe Victoria is likely to be an unfair competitor.

Wodonga taxis need to travel across the Victorian–New South Wales border to deliver passengers to the airport, for example, or to drop them at Albury railway station so they may pick up the standard-gauge trains, or to take people in the course of their normal activities to and fro across the border. The New South Wales

government is demanding that Victorian taxi proprietors pay hefty fees to continue doing what they have been doing since we have had taxis.

The Victorian Taxi Directorate is doing valuable consultative work with New South Wales on this issue, and I understand that a reasonable solution is nearing finalisation. We are all Australians; we should be assured that a taxi that is properly licensed and accredited to operate in Victoria can travel back and forth across a state border without further checks, legislative requirements or financial imposts.

The sooner the artificiality the state border so often creates is put aside the better for the nation as a whole, particularly for those people I represent who live along the Victorian side of the border and those who live on the New South Wales side. If Victoria is putting any difficulties or barriers in their way — I am not sure that it is — that issue should also be addressed.

I welcome the bill. It is a further step along the path of making significant cultural changes in the delivery of transport services in Victoria. I look forward to continuing progress along that path.

Hon. P. R. HALL (Gippsland) — In commenting on the Transport Acts (Further Amendment) Bill I will refer particularly to clauses that amend the Public Transport Competition Act to extend the length of the transitional period allowed before bus operators are all required to obtain accreditation.

I support the move to accreditation and away from a prescriptive licensing system because it is of great importance to people in rural and regional Victoria. Buses are the main public transport links in country Victoria. Although train services are significant and operate in each area of country Victoria, buses provide the links by which people can be transferred between the towns serviced by trains. Buses transport students to and from schools and move people around and between major towns in country Victoria. Buses are the main form of public transport in country Victoria. The move away from a prescriptive licensing system to a system of accreditation is important and raises issues for bus operators in country Victoria.

I turn to accreditation and the reasons for introducing it. The prescriptive licensing system will be replaced by a system in which persons operating road transport passenger services in Victoria will be accredited. Under the accreditation system operators will be required to meet certain regulations and standards on issues such as the ability to provide road transport passenger services, the safety of passengers and the public, the service to

passengers, and the safety of vehicles and equipment, to name just a few.

I will talk particularly about school bus services. In country Victoria there is often a strong association between school communities and bus operators. It is not uncommon for the transport of students to and from a school to be provided by a single bus operator. Frequently the people who own the buses drive them, each day taking students to school in the mornings and home again in the evenings. Many of those operators build a strong rapport with the students and they are proud of the vehicles they own and operate, and as a result country bus operators tend to experience few behavioural problems on their buses. I am sure such operators will not experience any difficulties in meeting the required standards on the operation and maintenance of vehicles. Victoria has an excellent school bus transport system of which it can be proud. Like my colleague the Honourable Bill Baxter, I am pleased that the free service for country students living more than 4.8 kilometres from their nearest school has been retained.

Three or four weeks ago, following a query from one of the school bus owner-operators in my electorate, I contacted the Public Transport Safety Directorate to ascertain what is involved with the new accreditation system. My constituent operates a single school bus and has a contract to service just one primary school. He was concerned about the costs that might be associated with the new process. My inquiries revealed that bus operators can get different levels of accreditation. A small operator who provides a scheduled service — defined in the regulations as one of five or fewer buses — and who chooses to continue to service a school in the mornings and evenings and operate a charter service in school hours — it might be to take children to a swimming pool or sports event, or on a day trip to an art function or something similar — is required to complete only a single module of the total transport management course. The fee for the single module is approximately \$500.

However, if the operator wishes to undertake charter services outside of school hours, he or she will have to complete the full transport management course, which will cost around \$1900. Although there are costs associated with accreditation there are also benefits. If operators of single school buses want to extend their businesses and embark on extended charter work at weekends, not only for the school students they service but also for other people and organisations, they will be able to do so without having to obtain the special charter licence that was required under the old system.

As was referred to in the debate on the 1995 legislation, the implementation of accreditation was designed to bring about some national uniformity. Mr Baxter has spoken about some differences between the licensing requirements for taxis in New South Wales and Victoria. I agree we should try to address those sorts of anomalies. We will all be better off if national uniformity can be achieved. I understand all states are moving towards a bus accreditation system and things will be better all around if the same standards are achieved in all states.

The bill extends the deadline by which bus operators must gain accreditation from 17 October of this year to May of next year to ensure that all bus operators in the state have sufficient time to achieve their desired accreditation standard. The extension of the deadline is a positive move. The regulations are the result of an extensive consultation process in which everybody had an opportunity for input, including consultation last December and earlier this year on a regulatory impact statement. As a result some sensible minor adjustments have been made to accommodate the needs of both small and large bus operators.

The introduction of the legislation is a positive move. I am pleased to add my support to the bill.

Hon. B. W. BISHOP (North Western) — Together with other honourable members I commend the move to accreditation effected by the bill. However, I see the situation somewhat differently from my colleagues Mr Baxter and Mr Hall. I see it as similar to quality assurance in agriculture.

As Mr Baxter suggested, in some cases licensing can be manipulated in relation to timing, what is done to vehicles, and how servicing is managed and particular vehicles are looked after. However, accreditation, like quality assurance, is a whole-of-business approach by which businesses are involved in ensuring that the safety, adequacy and servicing of vehicles are up to standard.

Accreditation provides a link in the chain. It joins the important rural service industries that are involved as a matter of course in the accreditation process. I agree with my colleagues that accreditation lifts the level of interest and care across all levels.

When any of us from rural Victoria talk about buses, we think of school buses. As a representative of a large rural electorate in north-western Victoria, I am always concerned about them. If the number of children using a bus drops and bus services are rationalised as result, it becomes very difficult not just for the local

parliamentarians but for the people who live in isolated and outlying areas.

We can be justly proud of the school bus system in Victoria, which is one of the best in the world. It provides an important service to the people living in isolated areas of rural Victoria, ensuring that our students have access to the best education our schools can provide. Everyone in rural Victoria who has ridden on school buses remembers the many good times that were spent on them — and that the pinnacle was to be the school bus prefect. My children used the school buses, and now my grandchildren use them. I agree with what Mr Hall said about the students' friendship with and respect for school bus operators. I have observed it, as have my children and grandchildren, and it is nothing short of remarkable. The operators really put themselves out for the benefit of the students and the community as a whole.

Like Mr Baxter, I represent a border electorate. I agree with him and Mr Hall that establishing a national accreditation scheme would be a marvellous step forward. The current and former ministers responsible for roads will recollect the national approach that was taken in respect of legislation about heavy vehicles. Now that that important step has been taken, our transport system is much more efficient and operates with greater certainty, with a reduction in red tape. A national accreditation scheme will similarly remove the red tape from various situations, such as moving front-end loaders across the River Murray to another state. Getting rid of red tape must make the system more efficient for transport businesses.

The bill reflects a practical approach to the establishment of an accreditation system. I agree with those speakers who talked about the need to give ourselves time to ensure a proper accreditation system is put in place. There is no point in rushing it because we are dealing with safety in an essential public service.

The bill amends the Public Transport Competition Act by extending the transitional period for bus operators who are required to obtain accreditation. It also makes a number of minor finetuning amendments and repeals the provisions of the Transport Act governing the licensing of passenger ferries.

The Public Transport Competition Act contains transitional provisions for the introduction of operator accreditation. It provides what we believed would be adequate time, with the first transitional period ending in July 1999. But the industry is complicated, and the regulations and checks and balances that are needed to ensure the underpinning of the industry mean the time

provided is far too short. The bill extends the transitional period so the job can be done properly.

It is interesting to consider clause 4 when reflecting on the reasons for the bill's introduction. Clause 4 removes the potential for a duplication of the accreditation requirements. For example, an operator who conducts an intermittent or small-scale business may not own the buses he uses but hire them from an accredited hire operator. In such cases people will not be required to have accreditation; rather, it will flow from the people from whom the buses are hired. That should remove some doubling up in particular areas.

Clause 6 makes a number of amendments to the Transport Acts (Amendment) Act, which extended to October 1999 the transition period for large commercial bus operators. Now we find that more time is needed to complete the transitional arrangements. The regulations required to underpin the accreditation system are not yet in place, due to the complicated and lengthy procedures associated with, for example, the fee setting, consultation and the regulatory impact statement processes. Clause 6 extends the transitional period by six months to expire on 1 May 2000.

While talking about the large commercial bus operators, I echo the comments made by Mr Hall. They highlight the reliance on road coach services in rural Victoria. When I look at the available services, I am always surprised by their breadth. People can go by road coach all over Australia, sometimes linking up with some of our excellent rail services or other road services. Victorians are particularly lucky, but sometimes members of the community do not appreciate the number of services that are available. However, I can think of isolated areas in the far reaches of the state that could do with some public transport. The government will be working towards providing extra services in those isolated areas. Sometimes public transport is provided by health and community services cars or by buses that are linked with our rural hospitals. As I said, we are fortunate to have what we have, but obviously some areas could do with more.

With those comments, I commend the bill to the house. It is a practical measure that touches on many issues, including accreditation, that will be picked up by the whole industry and give us a safer and more certain transport industry.

Motion agreed to.

Read second time.

Third reading

Hon. G. R. CRAIGE (Minister for Roads and Ports) — By leave, I move:

That this bill be now read a third time.

I thank Mr Power, Mr Baxter, Mr Hall and Mr Bishop for their contributions to the debate. If one reflects on the length of time accreditation issues and the importance of bus services to rural Victoria were discussed, one can see that the focus of the debate was on the main parts of the bill. That is unlike the debate in the lower house, where considerable time was spent talking about a ferry service that ceased to exist many years ago.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

ADJOURNMENT

Hon. R. I. KNOWLES (Minister for Health) — I move:

That the house do now adjourn.

Weeds: Crown land

Hon. C. J. HOGG (Melbourne North) — I ask the Minister for Roads and Ports to raise a matter with the Minister for Transport in another place. As the minister would be aware, each summer concern is expressed about the density of weeds and long grasses along railway tracks and reserves. Each summer owners of adjacent private and commercial properties are concerned about the fire risks such growth presents to their properties.

The issue has been drawn to my attention by, in particular, the City of Whittlesea, and I share that council's concern. Therefore I ask the minister to approach the Minister for Transport with the aim of remedying the situation and restoring the land to an appropriate condition for next summer.

Glen Iris Road: traffic lights

Hon. PAT POWER (Jika Jika) — I seek the assistance of the Minister for Roads and Ports regarding a traffic signalling issue in Glen Iris Road.

Hon. G. R. CRAIGE interjected.

Hon. PAT POWER — It is very much out of my patch. The matter has been brought to my attention by a person who lives in the vicinity of the Glen Iris Primary School on Glen Iris Road. I accept the veracity of the claims and set them out to the minister in the following way.

The green-amber-red lights cantilevered over the road outside the Glen Iris Primary School ceased to work in May 1998. The person I mentioned waited for them to be repaired. When the lights were still not working in October 1998, he reported the matter to the electorate office of the honourable member for Burwood. In March 1999, when the lights were still not working, he reported the matter to Vicroads and was told the lights would be repaired in seven days. On 19 April they were still not working.

I ask the minister to establish whether the maintenance contract arrangements for the lights need to be revisited and why a set of important traffic control lights has not worked since May 1998, despite the matter being reported to a government member and to Vicroads.

Police: response times

Hon. W. R. BAXTER (North Eastern) — I ask the Minister for Roads and Ports to refer a matter to the Minister for Police and Emergency Services in another place. Recently policing in Victoria has been the subject of coverage in the newspapers and on the airwaves. I sense that, because of allegations, counterclaims and the like, police morale may have been affected, with police perhaps believing their work is not properly recognised in the community.

I ask the minister to convey to the Minister for Police and Emergency Services my absolute gratitude to the police for their services following the burglary of my home in Wodonga last Thursday. Despite allegations of delays in police responses to such incidents, the case was attended to with great expedition by two policemen in a divisional van, a member of the CIB, a fingerprint expert and another person who came the following day. Some people may suggest the attention had something to do with the local member's house being involved, but that was not the case. It was reported that there had been a burglary without the occupant being named.

I place on record that no-one should expect a case of burglary to take precedence over a matter involving a personal injury, whether a road accident, a criminal assault or the like, traffic lights being out or whatever the case may be! Not much can be done about a burglary there and then, and it need not necessarily be attended to forthwith. There must be some prioritisation

of attendance of police at various scenes of crime. Police numbers cannot be set so that police are waiting to attend instantly to every report. I saw the police force at work first-hand last Thursday, and the response and attention given to the caller were absolutely outstanding.

Serbians: discrimination

Hon. S. M. NGUYEN (Melbourne West) — I ask the Minister for Industry, Science and Technology to refer a matter to the attention of the Minister for Multicultural Affairs in another place. Over the past four weeks we have all been made painfully aware of the human tragedy unfolding in Kosovo, with hundreds of thousands of people being displaced and thousands more losing their lives in the conflict. Like most Australians, I am appalled at the nature and scale of the human disaster, and support any effort we can make to alleviate the suffering of refugees from Kosovo.

The conflict in Kosovo and the reaction to the conflict by Yugoslavia has led to a rise in hostilities towards Australians of Serbian descent. Children of Serbian descent are being victimised at school by other students. While that sentiment is understandable in the current climate, it is totally unacceptable. Australians, irrespective of their origin, should not be discriminated against or treated any differently because of their ethnic background. I have encouraged representatives of the Australian-Serbian community who have contacted my office to take up their complaints with the Equal Opportunity Commission. However, the government has a responsibility to be vigilant against all forms of discrimination and to support Victoria's various ethnic communities in their fight against discrimination.

I ask the Premier and Minister for Multicultural Affairs, through the Minister for Industry, Science and Technology, what correspondence the government has received from the Australian-Serbian community and what the minister's response to those issues has been.

Rural Victoria: unemployment

Hon. M. M. GOULD (Doutta Galla) — In response to a question I asked earlier today the Minister for Industry, Science and Technology claimed that employment in regional Victoria is booming. I refer the minister to small area labour markets. For the 1998 December quarter more than 50 000 regional Victorians were unemployed. Regional Victoria has an unemployment rate of 8.4 per cent, which is higher than the Victorian average. Does the minister still stand by his claim?

Casey: ward boundaries

Hon. N. B. LUCAS (Eumemmerring) — I ask the Minister for Finance to direct to the attention of the Minister for Planning and Local Government in another place a matter relating to the City of Casey. A local paper has reported that the city has recently been considering a redistribution of the municipality to provide for 11 wards instead of 9. According to my information, the report which was presented to council when consideration was finalised pointed out that if the change were made the additional cost to the ratepayers would be more than \$250 000.

I ask the minister to consider the impost the council is considering placing upon its ratepayers. The City of Casey is one of the fastest growing cities in Victoria and money is needed for works in the area. The spending of this \$250 000 may be for the purpose of providing two more places for members of a particular political party. I ask the Minister for Planning and Local Government to consider the possibility of conducting an inquiry into a redistribution involving not only councillors elected in wards but councillors at large, similar to what occurs in the cities of Melbourne and Greater Geelong.

Hon. C. A. Furletti interjected.

Hon. N. B. LUCAS — Mr Furletti reminds me of Nillumbik. There are plenty of examples of redistribution, and I ask the Minister for Planning and Local Government to consider such an option for the City of Casey.

Toxic waste

Hon. D. A. NARDELLA (Melbourne North) — I ask the Minister for Industry, Science and Technology to direct to the attention of the Minister for Conservation and Land Management in another place the bipartisan committee on hazardous waste chaired by the honourable member for Bennettswood in the other place, the Honourable Geoff Coleman. That committee has an important part to play in considering Victoria's needs regarding the treatment and disposal of toxic and hazardous wastes in the future.

There is a concern that Ecorecycle Victoria, the peak body dealing with these issues, may not put in a submission to that important committee. A number of councils in the western suburbs and some members of this house are concerned that unless Ecorecycle Victoria puts in a submission based on its expertise the bipartisan committee may not be as well informed as it should be.

I ask the minister to request Ecorecycle Victoria to put in a submission to the bipartisan committee so that forward-looking recommendations can be developed on how to deal with our toxic and hazardous waste into the new millennium.

Responses

Hon. M. A. BIRRELL (Minister for Industry, Science and Technology) — Mr Nguyen raised with me in my capacity as the representative of the Premier and Minister for Multicultural Affairs in this place a matter about refugees and concerns about Kosovo. I will have much pleasure in conveying his views to the Premier and seeking a response.

The Leader of the Opposition raised with me employment in regional Victoria and whether I stand by my view that it was worse under a Labor government than it is under the Liberal government. Having had time to reflect on it, I indicate that I stand by my view.

Mr Nardella raised with me in my capacity representing the Minister for Conservation and Land Management the subject of hazardous waste and a number of matters related to that. I will ensure that the matter is referred to the minister so that she can respond directly.

Hon. R. M. HALLAM (Minister for Finance) — The Honourable Neil Lucas raised with me an issue with respect to the City of Casey and asked that I convey it to my colleague the Minister for Planning and Local Government in the other place. I will faithfully pass on the information.

Hon. G. R. CRAIGE (Minister for Roads and Ports) — The Honourable Caroline Hogg referred to the attention of my colleague the Minister for Transport in another place railway line reserves which have an excess of weeds and grasses and the risk they pose in summer months. She asked me to seek his intervention to ensure the land is maintained in an appropriate fashion. I will do that.

The Honourable Pat Power referred to pedestrian signals at the Glen Iris Primary School in Glen Iris Road and the fact that a member of the public has pointed out to him that the lights have not been working since May 1998. If that is the case, it is unacceptable and I will get on to it tonight or tomorrow to make sure the problem is rectified. It is essential that traffic signals in an important location near a primary school are functioning correctly.

The Honourable Bill Baxter raised for the attention of the Minister for Police and Emergency Services in another place the very important issue of policing in

ADJOURNMENT

242

COUNCIL

Tuesday, 20 April 1999

Victoria, the current publicity on the subject and, more importantly, matters relating to morale. He described a recent personal experience involving the police. I will refer the matter to my colleague.

Motion agreed to.

House adjourned 5.58 p.m.

Wednesday, 21 April 1999

The **PRESIDENT** (Hon. B. A. Chamberlain) took the chair at 10.03 a.m. and read the prayer.

ABSENCE OF MINISTER

Hon. M. A. BIRRELL (Minister for Industry, Science and Technology) — I wish to advise the house that the Minister for Finance will not be present today due to illness.

SUPERANNUATION ACTS (FURTHER AMENDMENT) BILL

Introduction and first reading

Received from Assembly.

Read first time for **Hon. R. M. HALLAM** (Minister for Finance) on motion of **Hon. R. I. Knowles**.

GOVERNMENT SUPERANNUATION BILL

Introduction and first reading

Received from Assembly.

Read first time for **Hon. R. M. HALLAM** (Minister for Finance) on motion of **Hon. R. I. Knowles**.

PARLYNET

The **PRESIDENT** — Order! I am pleased to announce that as part of the Parlynet initiatives the Parliament of Victoria now has its own intranet. The intranet will become a major means of internal communication for members and staff. Valuable information is already available to assist honourable members in their work in both the house and their electorates. Members and staff can consult acts, bills, parliamentary papers, committee reports, the *Members' Guide* and the Parliament House telephone book. Information is also available on information technology, human resources and departmental services.

The intranet provides access to the *Encyclopaedia Britannica*, the full text of 500 periodicals, Australian Bureau of Statistics information and links to a host of useful sites for parliamentary information. The intranet aims to give honourable members access anywhere at any time to a range of parliamentary services and publications. In the near future honourable members

will be able to book rooms and facilities through the intranet.

I commend this new parliamentary service to honourable members and staff and suggest that they spend some time familiarising themselves with its features. Increasingly it will be used to disseminate current information such as revisions to the *Members' Guide*, and less reliance will be placed on paper publications. If honourable members wish to participate in training sessions, they should contact the librarian or deputy librarian.

BUSINESS OF THE HOUSE

Sessional orders

Hon. R. I. KNOWLES (Minister for Health) — I move:

That so much of the sessional orders be suspended as would prevent general business taking precedence over other business until 2.30 p.m. during the sitting of the Council this day.

Motion agreed to.

PLANNING: PROCESSES

Hon. PAT POWER (Jika Jika) — I move:

That this house acknowledges the establishment of Save Our Suburbs groups across Victoria, indicating a significant level of concern in the community about the breakdown of proper planning processes in the state.

This will be an interesting debate. It provides an opportunity for opposition members to argue that under this government planning is controversial at best and has seriously broken down to the point where community members across Melbourne and in other areas of Victoria are unable to practise, for want of a better term, self-determination in the way their communities ought to grow and develop. The opposition argues through the motion that the establishment of the Save Our Suburbs (SOS) groups shows that the opposition is not alone in expressing its concern about the breakdown of planning processes.

Those of us familiar with the network of Save Our Suburbs groups would acknowledge that in the main members and key players fit into the conservative mould. They are not people one would normally associate with reactionary community uprisings against government proposals.

The fact that Save Our Suburbs has been established in conservative electorates by community members with entirely reasonable views about a range of social issues indicates not only that the house's consideration of the motion is timely but that the opposition's drafting of the motion is accurate. The opposition will present a case to demonstrate that proper planning processes in the state have broken down.

Until 1992, planning could have been described as a non-issue in Victoria.

Hon. Bill Forwood — It is trying to get something done!

Hon. PAT POWER — I will respond to Mr Forwood's interjection that the heavy-handed changes are driven by the government's wish to get things done. Even if that is the explanation for the government's strategy, it is simply not good enough, and it shows incredible arrogance and a preparedness to trample on community rights.

Until 1992, significant achievements had been bedded down in a range of communities across Melbourne and throughout Victoria as a consequence of governments — both state and local — working in partnership with local communities to ensure that development was carried out in a way that was as consistent as possible with community wishes and aspirations.

Since 1992, that cooperative approach has ceased for too many Victorian communities. Not only has the Kennett government played a major role in the change to that heavy-handed approach, but the Minister for Planning and Local Government — the minister responsible for City Link — has added his personal and eccentric style to that heavy-handedness. That is extremely frustrating for those in the community who are concerned about planning in Victoria; and the opposition would argue it has made it impossible for reasonable dialogue to take place between them and the government or its minister. The minister has stolen the rights and roles of local councils and community representatives interested in planning issues and put them in the hands of those he appoints from time to time to implement his strategies.

The opposition argues that planning in Victoria has become a serious community concern, and the establishment and proliferation of the Save Our Suburbs groups is testimony to that. In the current climate people are denied their right to have a say about what goes on in their streets, suburbs, and communities. The Kennett government has trampled on people's

rights; and given that this is almost certainly an election year, none of us would discount the role that community hostility to the government's planning decisions might play once the election is called and the campaign is under way.

No matter which part of Melbourne or which provincial city I visit, I meet many community representatives and local councillors who are frustrated by and hostile about the way local government and community rights have been trampled on. If you visit the library, Mr President, and check the newspaper clipping files, you will see that the one that bulges the most is the file on planning. The file was established only in 1995, but already it is bulging with newspaper articles on planning issues. It contains a litany of examples of developments imposed on communities that are demonstrably and indisputably inconsistent with local wishes and aspirations. For example, the McDonalds restaurants at Torquay, on the surf coast, and at Coburg, in the city of Moreland; the Shell redevelopment on the corner of Middleborough and Whitehorse roads in Blackburn in the electorate of Mitcham; and the embarrassing and in my view completely unreasonable occupation by Lindsay Fox of what is a public beach at Portsea — a beach that has been public for 80 or 90 years!

It is those kinds of issues that the Save Our Suburbs organisation has responded to. In July 1998 it released a policy document containing 10 objectives. It is important to re-emphasise that the objectives show that the group does not comprise people who have radical or extreme ideas.

The first of the 10 objectives reads as follows:

SOS seeks to preserve the amenity and rights of existing residents.

All Victorians would agree that that is a fair and reasonable objective for the streets and locations we live in.

The second objective states that:

SOS seeks to preserve and enhance the character of Melbourne's suburbs.

That is another entirely reasonable aspiration. Those honourable members who have had the opportunity to travel internationally will agree that one of the most pleasant parts of the journey is returning to Melbourne, because it is an incredibly livable city. While state and federal governments of different persuasions have contributed to Melbourne's being a livable city of international renown, sensible planning by local communities, managed by local government, has made

our city centre and suburbs not only livable but very diverse.

The third objective states:

SOS believes that there is a case for an increase in residential density in some areas.

It is important that the house acknowledges that Save Our Suburbs is not opposed to development or to progress, which the third objective establishes beyond doubt. Save Our Suburbs and the opposition do not argue that development should be brought to a screeching halt and residential density should not be increased.

The fourth objective states:

SOS believes medium and high-density development should take place in properly chosen locations and in a coordinated fashion, rather than upon an unplanned or sporadic basis.

That is an entirely reasonable claim. Proper planning processes allow essential development to take place so that local communities feel they have ownership of it. Inappropriate residential density development should not be imposed. People should not wake up one morning, walk out into their streets and find that demolition has taken place and that inappropriate residential density will prevail.

The sixth objective states:

SOS believes that the urban expansion of Melbourne should be contained by means of direct government intervention to prevent the development of peripheral agricultural and other land.

That is important for the urban fringes of Melbourne. On Sunday I visited the City of Casey. Councillors said the government must intervene because state and federal governments have roles to play in maintaining an appropriate interface between the increasingly rapid urban sprawl and addressing and protecting agricultural and other land.

The seventh objective states:

SOS believes that all forms of development should bear the direct and indirect costs involved, so far as these can be calculated, unless a subsidy is required in the public interest and for explicit reasons.

That is entirely reasonable. Save Our Suburbs is simply saying that development should not take place unless developers bear the real cost attached to the proposal.

The eighth objective states:

SOS believes that the whole planning system requires modification to meet the reasonable expectations of residents.

Later I shall comment on the *Good Design Guide*, which at least has been controversial, if not unsatisfactory. The establishment of Save Our Suburbs is an indication of the level of concern across the community. Its objectives show that its membership has entirely reasonable and responsible views and objectives about planning.

My reason for moving the motion is that communities feel that the amenity and rights of existing residents must be preserved. As I move around the state as the shadow minister for local government, especially in this election year, I meet many ALP candidates who acknowledge that local government and planning issues are a taut nerve in their communities. For many years — long before his interest in entering state Parliament — Joseph O'Reilly, the ALP candidate for the marginal government seat of Prahran, was interested in the need for communities to practise self-determination and for local government and planning to play a responsible role. On 18 January Joseph O'Reilly wrote to the *Age* about the then controversial issue of the Carlton terraces. In part, he said:

... in setting out the process by which planning decisions are made, he failed to address the concern that lies at the heart of community opposition to the government's approach to planning — namely, the principle that people have a right to a say in the decisions that affect them. By exempting specific developments from planning controls, all parties to the process rely on the minister's benevolence rather than an open and transparent process.

Government members, who will use this debate as an opportunity to show their support for the minister and the government's planning policies, will argue that Joseph O'Reilly's view is not held across the community.

I shall make passing references to the Point King Beach, Portsea, issue. I say 'passing' because the situation is so absurd, elitist and appalling that the government should quickly remedy it. The situation at Point King Beach has two elements: firstly, it is an attempt by a private land-holder to occupy public land; and secondly, it shows the preparedness of the government to sit on its hands while it takes place.

Lindsay Fox and his views of Portsea and Point King Beach are not a recent problem. Lindsay Fox first moved to the area in the 1980s. The *Age* of 12 August 1998 reported that back then Lindsay Fox placed sticks of dynamite in the cliff face and blasted foliage and other materials to improve his view. Ian Baillieu, a resident of Portsea and not somebody associated with my side of politics, said that he is extremely unhappy

about the current situation. He says the following about Lindsay Fox:

He has a whole stretch of beach in front of him. What does he want to build a fence for? My interests are as a private citizen who has a long association with the beach.

Ian Baillieu is not on his own. Conservative people from conservative territory are saying they are unhappy about this imposition on the local community. In August last year more than 200 people participated in a protest against Lindsay Fox's plan and his preparedness to block public access to Point King Beach. They demonstrated against the preparedness of the government to sit on its hands as that took place. In more recent times concern has been expressed about 173 caravan parks on Crown land.

I accept that the Point King Beach and caravan park issues are outside the direct responsibility of the Minister for Planning and Local Government, but they are an important element of the basket of community concern about the way the government is prepared to allow planning and development to occur against the interests of the public and local communities. The opposition knows the government is considering leasing or selling to private operators 173 Victorian caravan parks located on Crown land.

Hon. T. E. Eren — Shame!

Hon. PAT POWER — As Mr Eren says, it is a shame, because those who understand the operations of caravan parks and foreshore areas know of the long tradition not only in Victoria but throughout Australia of people using those facilities as an important part of their family recreational pursuits. In many parts of Victoria, from Christmas until Easter caravan parks are occupied by large numbers of people, many of whom are not just regular visitors to the parks but who regularly occupy the same spots in certain parks.

By way of example, the government wrote to the Wye River foreshore committee of management in the Shire of Colac-Otway, on the Great Ocean Road between Lorne and Apollo Bay. The letter said that the government believes local groups are no longer capable of managing coastal land. The letter further states:

With increasing demands being made on committees of management to deal with development and conservation issues, some changes are required. Key among these is the need to move progressively from publicly elected committees to skills-based committees.

The house should understand and acknowledge that the last sentence of the letter, referring to moving from 'publicly elected committees to skills-based

committees' is simply a code for removing the right of Victorians to be represented on those committees of management.

Hon. B. N. Atkinson — On a point of order, Mr President, I have been listening to Mr Power for some time, but I have some difficulty in understanding how the management of parks and foreshore committees of management has anything to do with the motion, which is about land-use planning. His contribution during the past 5 minutes had nothing to do with the motion. I ask you, Mr President, to direct Mr Power to advise the house of the relevance of the matters he is now canvassing or return to the motion.

Hon. PAT POWER — On the point of order, Mr President, I accept the concern expressed by Mr Atkinson. Shortly before he rose to take his point of order I acknowledged that the issues surrounding Point King Beach and the 173 caravan parks on public land are outside the direct responsibility of the Minister for Planning and Local Government. However, the motion deals with the Kennett government's attitude to planning and the right of Victorians and communities in which they live and work to have guaranteed access to processes that address planning and development issues in their communities. I sought, in passing, to refer to the Point King Beach and caravan parks issues to demonstrate that community concern applies to issues beyond the jurisdiction of the Minister for Planning and Local Government.

Hon. N. B. Lucas — On the point of order, Mr President —

The PRESIDENT — Order! I have heard enough. The point of order is properly taken in line with an objection to Mr Power continuing along those lines. Mr Power said he wanted to make a passing reference to give a global feel to the subject. Having made that point, he should move to the substance of the debate.

Hon. PAT POWER — Another aspect which underpins the community's concerns about the Kennett government's attitude to planning issues generally is the wish of the community to preserve Melbourne's suburban character and, when development occurs, to ensure such development enhances Melbourne's suburban character.

Earlier I mentioned the case of McDonalds in the Surf Coast Shire and the City of Moreland. The planning issues surrounding McDonalds and the preparedness of the government to support McDonalds at the expense of community wishes and aspirations and local government processes are a clear example of how far

out of step the government is. In Pascoe Vale, contractors employed by McDonalds destroyed half of a 110-year-old house. Certainly no honourable member would dispute that a 110-year-old house is a significant community asset, but McDonalds nevertheless attempted to establish its sixth outlet in the Moreland municipality. The house is one of the oldest and most prestigious in Pascoe Vale. Residents had spent two years fighting against the proposal. Certainly a problem arises when, in that context, planning rules and regulations allow a company like McDonalds to commence demolition of the house.

In 1994, after McDonalds had been refused planning permission to build additional outlets in the eastern suburbs, the government passed what we came to know as the 'McDonalds amendment'. Legislation was passed to ensure that franchise companies like McDonalds were given guaranteed access to any site they believed appropriate. That 'McDonalds amendment' piece of legislation amended Victorian planning schemes to make it easier for fast-food outlets like McDonalds to build restaurants on main roads in residential areas. The opposition argues that is inappropriate. It accepts that the establishment of SOS groups and their attention to inappropriate residential developments such as the one at Pascoe Vale means that not only the Labor opposition but also increasing numbers of people in the community are concerned about the trend.

Another issue that I address is the need for medium and high-density development to take place in properly chosen locations and in a coordinated fashion rather than being unplanned and sporadic. That approach is consistent with an objective of the SOS groups. It is important for the house to remember that, like SOS, the opposition is not opposed to development or residential density developments.

The opposition argues, as does Save Our Suburbs, that to enable a sense of community ownership residential developments must occur in an environment of reasonable partnership between the community, local government and the state government. There must be reasonable and open planning processes to ensure that people have reasonable access to information to allow them to come to educated decisions.

Honourable members would understand that I am passionate about the role of local government. I referred earlier to Melbourne's being a livable city. Like all other tiers of government, local government is not perfect. Democracy is an imperfect animal but it is a hell of a lot better than any alternative. Local government has a proud record of success and

achievement as a partner with the community in its role of ensuring that planning of developments is undertaken at a local level in a way that ratepayers and residents — the stakeholders in the state — feel is appropriate.

In its policy document that was launched in July of last year, Save Our Suburbs talks about the role of local government and makes a number of points. Firstly, it says that the state government must accept responsibility for the effective operation of the planning system, including the devolution of power to the local level. Secondly, it says that local government must have the primary role in planning at the local level. Thirdly, it says that councils must be adequately resourced to respond to current planning needs. Fourthly, it says that local government planning decisions must be made objectively and not be subject to external interference.

Those points are entirely reasonable. Although I do not think any honourable member would argue that in a democratic society that has three tiers of government those criteria ought not to exist and operate effectively at the local government level, since 1992 that has not been the case. Since 1992 the Kennett government has not wanted local government to have a primary role in planning at the local level and has not wanted local government planning decisions to be made without external interference. As a consequence of radical changes to the structure of local government and a radical approach to planning, since 1992 local government's right to play a role in planning has been severely undermined.

There is no doubt that the planning system requires change if it is to meet the reasonable expectations of residents, and I will make some specific comments about that when I turn to deal with the *Good Design Guide*. However, Save Our Suburbs has played a leadership role in addressing that concern. Earlier this year the organisation called for a planning summit and a 12-month moratorium to allow local councils, the state government and local resident and community groups to thrash out a reasonable agreement that would ensure that both state government and local councils had their share of the action accommodated in a way that respected and accommodated the wishes and aspirations of the community.

It is without doubt time the government faced up to the fact that planning is a major problem in Victoria. Although planning may not be a major problem for the government in its day-to-day operations, given that this is almost certainly an election year I have no doubt that it will become a major problem for the government.

Once the Premier calls the election and we are into an intense campaign period people in communities in Melbourne and provincial cities will point to planning issues as a reason for voters to scrutinise the government's record, particularly the refusal by the Kennett government and the Minister for Planning and Local Government to pay attention to its obligations as a democratically elected government to work in partnership with federal and local governments in the Westminster tradition. It is undemocratic for any tier of government to act in a way that neutralises, disempowers and disenfranchises any other tier of government — in this case, local government.

I accept that local government is not protected in the Victorian constitution and that local government in Victoria is a creature of the state government. However, that lack of protection is not an excuse or trigger for any state government to treat local government in the disdainful way local government in this state has been treated by the Victorian government. The opposition's policy on that issue stands in stark contrast to the government's policy. When it is returned to government Labor will seek to amend the Constitution Act to include local government. If it does not have sufficient numbers in this house to achieve that goal it will treat local government as if it were constitutionally protected. There will be a clear, strong and honest partnership between a state Labor government and local government.

I refer to a topical issue that highlights the government's attitude to planning and its disdain for community concern — that is, developments in the St Kilda and Port Melbourne areas of the City of Port Phillip under the current Gateway to the Bay proposal. Monday's newspapers carried articles about the views of Ron Clarke, a famous Olympian, on developments in the area, and I understand he was to be interviewed about the issue this morning on radio.

People are drawn to the issue and they want to express their concerns about the livability of Melbourne being under threat by the proposed developments. In St Kilda in the City of Port Phillip the concern is about high-rise development. The Mayor of the City of Port Phillip, Cr Dick Gross, maintains that two years of community consultation has been rejected by the state government by its release of the *Gateway to the Bay* discussion paper. He is participating in the opposition of the residents of that bayside suburb who have released their paper entitled *Gateway: Wrong Way!* Notice of motion no. 2 is obviously relevant when one considers the kind of broad community concern being expressed in the City of Port Phillip about proposed inappropriate high-rise development.

I refer also to the minister's release of a document headed 'It's your street, your say'. It is really a nonsense to suggest that the Kennett government in general and the Minister for Planning and Local Government in particular support Victorians being guaranteed any right to have a say on what happens in their streets. The document states:

Right across Victoria, you can participate in the planning of your street, your suburb ... It's your choice to have a say about the character of your neighbourhood.

The track record of the government since 1992 indicates that that is at best a very cynical message to Victorians. At worst, it stands in stark contrast to the way people have been treated in their streets and suburbs. There is no evidence to suggest that the government or the minister are prepared to give Victorians a guarantee that what they say should happen in their streets will in fact happen. The minister's document is not only a cynical but also a possibly dishonest message. The government and the minister should be saying that since 1992 people have not been guaranteed the right to determine what goes on in their streets. That would be a more honest and therefore reasonable message. As I said, it is important to understand that Victorians are not guaranteed a right to have a say about what will happen in their streets.

I shall refer to some of the responses initiated by the opposition as a consequence of the government's action and the minister's style to demonstrate that the opposition is strongly connected to community wishes and aspirations on a wide range of issues, especially something as important to the community as planning. On 3 March this year, the shadow minister for planning said that the Minister for Planning and Local Government had given the green light to the building of a skyscraper development on the Esplanade Hotel site in St Kilda. That statement is consistent with concerns of the City of Port Phillip community.

Hon. B. N. Atkinson — Which shadow minister?

Hon. PAT POWER — On 3 March the shadow minister was the honourable member for Albert Park. The shadow minister said that the design strategy released by the Minister for Planning and Local Government recommended high-rise buildings as landmarks in Port Melbourne and St Kilda — that is, an attempt to reshape the style and form of that foreshore precinct and to recreate St Kilda as a Surfers Paradise of the south, as it were.

On 15 March the shadow minister for planning expressed some concern about the state's demolition system. I referred earlier to the example of a proposed

demolition in Coburg. The honourable member for Albert Park said that Melbourne's building demolition system is a farce as a result of bungling and inconsistent decisions. I support his statement that demolition controls in Victoria are essentially a joke. He was talking about the house in Sussex Street, Coburg, in the City of Moreland where McDonalds was attempting to establish its sixth outlet in that municipality. A heritage building in Sussex Street, Coburg, is under threat, despite the recommendation following a heritage study that it should be protected as a building of major regional significance.

If there is to be a clear and strong partnership between local, state and federal governments, there needs to be an assurance that decisions taken by a municipality through a heritage process will be recognised and respected by the other two tiers of government and that they will seek to ensure that no-one is able to act in breach of the decisions, unlike what occurred in Coburg.

One classic example of the difficulty, hostility and frustration that exists in planning is the *Good Design Guide*, which has been controversial and caused enormous heartache since its introduction. Calls have been made by a range of municipalities, the state opposition and organisations such as Save Our Suburbs for the *Good Design Guide* to be torn up, preferably, but, if not, at least significantly revisited, reviewed and rewritten. An example of the community concern about the guide is evidenced by the fact that some of those associated with drawing it up have called on the Minister for Planning and Local Government to revisit the medium-density housing rules. I understand that Wendy Morris, whom many members would recognise as an extremely competent professional — —

Hon. B. N. Atkinson — Last time she was mentioned in here she was ridiculed by someone on your side!

Hon. PAT POWER — Not by me. The honourable member for Sandringham presented to Minister Maclellan a submission outlining numerous deficiencies in this contentious document and called for changes to be made, but it did not stop there.

Paul Jerome, between 1992 and the time of his departure, had a significant and up-front role in the government's radical changes to local government and planning. Paul Jerome has decided he can be silent no longer. He has called for the minister to tell the whole truth about the *Good Design Guide* rule book. As honourable members may know, Paul Jerome has written a scathing critique, arguing that aspects of the

guide are confusing, silly and lacking in rationale and reasoning. He believes sections of the guide encourage patch-up architecture and fail to promote good design in the inner city.

When people of the professional status of Paul Jerome and Wendy Morris and people like the honourable member for Sandringham are prepared to deliver such messages to the minister, it is clear that not just the opposition, not just many suburban communities and not just the Save Our Suburbs group but also professionals in the planning area and members of the government believe the opposition's motion is absolutely spot-on. The motion is an accurate indication of how badly planning processes have broken down.

Earlier I indicated that throughout Victoria, especially in this election year, I have come across many ALP candidates in marginal seats who know from contact with their communities that planning issues are arousing enormous hostility and shaping up to be a significant element in the soon-to-be-called election campaign. Pam Hanney is the Labor Party's endorsed candidate in the marginal seat of Eltham. She shares our view regarding the motion because she has come across a number of classic examples of inappropriate planning and of the wishes of local people and decisions of local councils being trodden on by the government in the circumstances the government has created.

I am advised that the most recent planning issue in the electorate of Eltham concerns the Lower Plenty Squash and Fitness Centre. The development proposal is that the squash courts be converted into 24 units. The change-of-use application has been refused by the City of Banyule but the developer, knowing the style of the government and the minister, has lodged an application for review with the Victorian Civil and Administrative Tribunal (VCAT).

Hon. B. N. Atkinson — Should that be the Shire of Nillumbik?

Hon. PAT POWER — No.

Hon. B. N. Atkinson — It is in the City of Banyule?

Hon. PAT POWER — Yes, it is just on the border. This is a classic case of a local council, in this case the Banyule City Council, doing absolutely everything by the book and local residents being confident that their municipality is acting in their best interests and making a decision consistent with the wishes and aspirations of ratepayers and residents, only to be faced with the developer going to VCAT. The minister may well intervene and approve the development.

Hon. B. N. Atkinson — Why would you suggest that? Why would he intervene?

Hon. PAT POWER — Our candidate in the Assembly electorate of Ballarat East, Geoff Howard —

Hon. B. N. Atkinson — That is an outrageous thing to say. You have no evidence.

Hon. PAT POWER — If you can give an assurance that the minister will not intervene, that will be fine. Our candidate for Ballarat East, Geoff Howard, is also concerned about planning issues. Recently I visited Ballarat at his invitation. Again I saw a classic example of the planning problems that have arisen. The Ballarat City Council believes the government ought to go ahead with a decision regarding a possible realignment of the Western Freeway at the Melbourne end of Ballarat. A number of local companies, ranging from Rivers Shoes to a large trucking company, have plans for multimillion dollar developments sitting on their desks, essentially in the deep freeze, because the government will not get on with making a decision regarding the preferred realignment, if any, of the freeway. That is causing enormous difficulties for those companies.

Kerri Erler is the Labor candidate in the marginal seat of Bellarine. Recently at her invitation I visited Queenscliff and was shown by some very concerned residents an outrageous proposal that our former colleague, David Henshaw, is familiar with and cannot believe is being seriously contemplated. It involves significant excavation of the inlet of Swan Bay at Queenscliff. What that will do to the environment of Swan Bay and tidal movements and to access and egress of the bay is mind-boggling, but it does not stop there.

The government is proposing that a road be constructed across the sand dunes at Queenscliff. The local people are alarmed. They do not want the amenity, style and format of Queenscliff as a seaside village to be changed. The Borough of Queenscliffe does not believe the proposals are appropriate and knows they are absolutely not in keeping with local wishes and aspirations and will make no economic contribution to the township or municipality. When Kerri Erler expresses alarm about the proposals, she knows she is acting in a way absolutely consistent with the wishes and aspirations of the local people.

As I said earlier, we are almost certainly in an election year. Once the election is called and we are into the intensity of a campaign period, I have not the slightest

doubt that in marginal seats planning issues will become very significant. Liz Beattie is the Labor Party candidate in the marginal seat of Tullamarine.

She understands full well that people in Tullamarine are deeply concerned about the strategies of the Kennett government and the Minister for Planning and Local Government. They want assurances that any hazardous waste dump in Tullamarine will be as a consequence of a proper partnership with local government and only with the world best practice standards applying to it.

This motion is entirely appropriate for the house to consider because it re-emphasises the view that in relation to communities across Melbourne — and indeed across the state — proper planning processes have broken down. That is not just the view of the opposition or people such as Paul Jerome and Wendy Morris; it is the view of organisations such as Save Our Suburbs. That view is held not just by organisations that have been established in the western or northern suburbs where one might anticipate organisations popping up to protest about a conservative government. These organisations have been established, almost without exception, in conservative heartland by reasonable people with reasonable objectives who are saying, 'Yes, there has been a breakdown in the proper planning processes in this state and it is time for it to be brought to a halt'.

I conclude by emphasising the very different approach Labor will take when in government to planning and partnership between state and local government. The Labor Party gives an unequivocal commitment that it will redefine the powers of the Minister for Planning and Local Government to allow for fewer areas of intervention and will revise the *Good Design Guide* to create stricter controls on where medium-density housing can be built. It will encourage a more diverse range of and more affordable housing. Development and medium-density housing will not be opposed, but there will be a commitment to ensuring it is done in a way that addresses and accommodates community wishes and aspirations.

Labor also gives an unequivocal commitment that it will protect urban amenity and character and will promote heritage control. Just as importantly, it will reform demolition permits and ensure a proper process of enforcement of building controls.

This important debate provides an opportunity for members of the government to consider the wide range of concerns and opinions the Labor Party has put forward and acknowledge that they should put aside their commitment to the government and its strategies

because the planning processes that have existed in Victoria under successive governments for many years have broken down. The policy commitments of a future Labor government are in stark contrast to the practices of the Kennett government and will result in the disappearance of the current frustration, anger and hostility in relation to planning issues.

Hon. B. N. ATKINSON (Koonung) — To suggest there has been a breakdown in planning policy in this state is really suggesting there has been a breakdown in horse and buggy transport. Effectively we are not talking about a breakdown in planning policy but a change in planning policy. I use the analogy of transport by horse and buggy as it no longer exists because it is no longer effective in today's world. People are now using different forms of transport — there has been a change.

The opposition seems to struggle to cope with change and understand why it is necessary. It fails to understand that tools have been put in place through the planning system to provide better opportunities for Victorians to determine their future and to protect the state's assets and the people's investment in Victoria.

I was amazed by Mr Power's remark at the outset that before 1992 planning was a non-issue. I am not sure whether he had some Rumpelstiltskin existence in the union movement prior to 1992 or has selective memory, which many people in the Labor Party seem to have. It is usually evident with economic issues because the Labor Party was not exactly frugal, but it extends to a range of other areas. The comment that planning was a non-issue before 1992 is absolutely absurd. Anyone who was involved in or observed local government prior to 1992 would recognise that planning has always been contentious. Planning is a contentious matter in every community throughout the world. Change is also contentious.

Honourable members can remember Mr Roper, Mr Kennan and a fleet of other planning ministers prior to 1992. I am reminded by interjection of Mr McCutcheon. They all got into trouble over planning issues and for intervening in local council planning decisions. We can also remember local government authorities right across the board complaining about their ability to determine the future of their communities. They complained that the planning legislation and the tools available to them in the partnership between state and local government were not working to provide the best outcomes for local communities. I am not suggesting it was party political; I am simply suggesting that it is absolutely absurd and foolish to say that concerns about planning issues are

contemporary and brought about by a change in government. Planning is contentious because it is about change; it is about people putting up proposals that test the status quo; and it is about people looking to provide for changing community needs.

Sometimes the community is not happy about meeting community needs and sometimes it does not recognise changing community needs. Sometimes it simply says, 'Yes, those needs are there but they don't belong in our community. They should be looked after somewhere else'. It is the 'Don't put a streetlight on my nature strip' syndrome.

The planning tools that have been introduced since 1992, without any substantive opposition from the Labor Party, have provided an opportunity for the Victorian community and local government to make a much better fist of providing facilities to meet the needs of communities in a way that appreciates and recognises local needs, character and planning parameters. This government has put in place perhaps the best planning system in Australia.

That has been recognised throughout Australia by other governments, and it is also recognised in other parts of the world. People overseas are considering taking up parts of Victoria's approach to planning in their areas. That recognition is not based on a developer-takes-all attitude. The planning tools that were put in place by the government and the basis on which they were predicated protected the investment of people who had a right to certainty about what would happen in their local areas. People whose homes were the major investment of their lives could protect that investment and recognise that the community position they had established was in many cases contributing to the establishment of a range of other facilities. Their efforts were protected and the community was given some certainty of future.

This suite of planning tools put in place by the government gives people an opportunity to do that. It is not just about development, notwithstanding the fact that very often development responds to changing community needs, meets the needs of people and clearly provides jobs for Victorians as well. The planning scheme is a response to the needs of all Victorians and a recognition of their need for certainty and for an understanding of the rules and their rights as well as how they might pursue changes and prevent changes they believe inappropriate.

I am amazed at some aspects of the debate. The house was introduced to a range of Labor candidates, and I thank the opposition spokesperson for that. It was

edifying for some of us who have not travelled to some of those areas to find out who the Labor candidates are and observe their interest in local issues.

Hon. N. B. Lucas interjected.

Hon. B. N. ATKINSON — I shall not comment on their likely performances, but I hope their contributions to debate on some of the issues put before the house today are more substantive than the contributions to this morning's debate. I refer particularly to the candidate for Eltham, which covers the City of Banyule, in the context that the opposition spokesperson today, quite mischievously, talked about a development proposed in Banyule and indicated that it is proceeding according to process, then suggested that the process might be overturned by a minister. He gave no basis upon which the minister might be considering that action and no basis upon which it would happen. It was a fairly poor attempt to create a press release for the candidate for the electorate of Eltham. There was no suggestion that the development is doing anything but proceeding according to the proper and due process. To raise it as a question without substantiation is quite improper in the context of this debate. I hope the candidate for Eltham will in future show more regard for the need to substantiate press release headlines, explore issues and understand the process more thoroughly.

If the opposition spokesperson quoted accurately from an official Labor document on its planning policy objectives in an election year, it shows that the entire Labor Party — certainly the spokesperson — does not understand what planning policy in Victoria is all about. Today the opposition spokesperson said there was an absolute commitment to revise the *Good Design Guide* to create strict controls and more diverse and affordable housing. That was to be achieved by changing a book? The *Good Design Guide* is not a planning scheme and it is not legislation: it is simply a guide — it is in the title!

Hon. Pat Power — It is a tool.

Hon. B. N. ATKINSON — It is not even a tool; it is a guide. The tools associated with planning are part of the legislative framework — the planning schemes, the overlays, and part of the whole suite of site analysis and so forth that the government has put in place to test development. The *Good Design Guide* has been the measurement against which most development is assessed; it is not the planning scheme. To suggest in the policy document that the way to achieve better planning is to revise the guide is nonsense and reveals a misunderstanding of what the total planning process is about. The opposition misunderstands that there is a

comprehensive set of guidelines and tools in place for state government and, more particularly, local government to follow to achieve planning outcomes in the areas that are consistent with and responsive to community needs.

The *Good Design Guide* is not what it is all about, which does not mean that the guide does not have an important role as a measurement by which developments are assessed. One of the problems of the *Good Design Guide* which is acknowledged by the government and by me is that too many people have relied too heavily on it without having done their homework on many other crucial areas that have been laid out in legislation to provide for better planning and to enable local councils to achieve their goals, particularly those set out in municipal strategic statements, and put their planning schemes in place.

Two years ago the house debated legislation to enable the municipal strategic statements and planning schemes, the Victorian Planning Provisions (VPPs), to be introduced. At that time six municipalities across Victoria were involved in pilot projects. After all this time and despite deadlines having been set, only 35 councils out of 78 have adopted the new-format schemes. That is unfortunate because clearly the schemes are the basis of good planning.

It is foolish to criticise the whole planning process in Victoria and claim that it is in a state of disrepair when those municipalities, some of them among the critics of the scheme, have not put in place the planning schemes that are their tools to enable them to achieve better planning outcomes. That does not mean better planning outcomes according to government criteria or according to what the Minister for Planning and Local Government desires on a particular day, but better planning outcomes as expressed in the planning schemes and municipal strategic statements, which are a critical component of the schemes, that achieve what local communities want.

One real concern I have and one of the interesting things about the emergence of Save Our Suburbs (SOS) is that many of the municipalities failed to consult their communities widely when introducing the schemes. They have thrown up their hands in horror, complaining about the state government and the legislative parameters within which they work. Some organisations are loosely affiliated with SOS — often it is a shifting coalition of people who are concerned about particular developments in an area. Some of them continue to pursue the broader issues and policy aspects; others drop off and do not continue their association with SOS. In many cases those people have

not been involved in determining their local communities' aspirations, including heritage, character or amenity issues, as part of a consultation process leading to the development of new planning schemes.

Given the extra time they have had, it is an indictment of those municipalities that did not consult widely enough and have missed the deadlines set for the debate on the bill. Despite the fact that they have missed the deadlines, those municipalities have still not taken the opportunity to consult widely on the key issues, particularly those that might have formed their municipal strategic statements. Therein lies the problem.

I am familiar with some of the things that members of Save Our Suburbs have been talking about. I attended their meeting at Hawthorn Town Hall earlier this year. I note that the opposition spokesman was not in attendance on that occasion, nor, as I recall, was the opposition spokesman on planning.

Hon. Pat Power — I do not know where he was, but I was in Shepparton.

Hon. B. N. ATKINSON — Certainly a number of opposition members were there, but the key people — and certainly the then Leader of the Opposition — were not. As the Minister for Planning and Local Government has said on a number of occasions, the government agrees with many of the things that members of Save Our Suburbs have said. Many of the issues they have raised are exactly the same issues that government members have raised, often in anguish, with the minister at different times. Their anguish has not been about the failure of state government policy or legislation but about the fact that local councils have not grasped the legislation and used the tools available to them to achieve better planning outcomes in the community.

I am not bagging local government, because, like Mr Power, I have a healthy respect for local councils and am enthusiastic about what they are capable of achieving. As most honourable members know, I spent 17 years as a Nunawading city councillor — all of them before 1992, by the way, in those glorious days in which Mr Power asserts planning was a non-issue. I do not know what I was doing staying at some of those council meetings until 1.00 a.m. to deal with all those non-issues! Nevertheless, that was his assertion.

At the time I would love to have had — and the same is true of my colleagues in councils throughout Victoria — the suite of tools that have been put in place under government policies and legislation to achieve

better planning outcomes for my municipality. Those councils that have examined the suite of tools available to them would recognise that the opportunities they provide are significant. Those opportunities are not encompassed in the *Good Design Guide* — which is, as I said, simply a guide — but they are part of the Victorian Planning Provisions, the municipal strategic statements and a range of other measures that define what councils are able to do — for example, about heritage issues, flood control and density overloads — to protect their local areas.

What is the opposition saying? Is it saying that we should go back to having the 210 municipalities we used to have? Is it saying we should go back to the more than 2000 planning zones we used to have? Is it saying we ought to have the moratorium proposed during the debate and in effect say, 'All right, we will take time out and stop doing anything for a while so we can have a bit of a think about all of this'? What is the opposition's assertion? I cannot find one.

If in the debate members of the opposition had attacked the legislation and said, 'The municipal strategic statements and the Victorian Planning Provisions are wrong. The government has got it wrong and the policy is wrong', we could have had a look at those things and analysed them. But instead it has said, 'There is a breakdown in the planning process because there are controversies and objections to developments here and developments there'. I am not suggesting that some of the developments referred to by Mr Power are not important local issues and do not have broader implications for Victorians generally. But I am suggesting that the development examples he gave are subject to proper planning processes and that no evidence has been presented that the system is wrong. There is no evidence.

Hon. T. E. Eren — SOS! That's evidence!

Hon. B. N. ATKINSON — SOS is evidence?

Hon. T. E. Eren — That's right.

Hon. B. N. ATKINSON — I invite Mr Eren to tell me when he contributes to the debate how SOS is evidence that the planning system and the legislation are wrong. I shall listen to him intently. SOS is simply an organisation that has some concerns about planning. Many of those concerns, as I have said, are shared by the Minister for Planning and Local Government. The minister has written to SOS groups saying, 'I agree with half of what you have said, or, 'I agree with quite a bit of what you have said', and he has also given them very good reasons as to why he disagrees with some of

the other initiatives they have suggested. By and large, as government members we agree with a lot of what SOS has said.

It is interesting to consider the development of Save Our Suburbs, which emerged strongly in 1998 even though it may have kicked off the year before. In 1998 it held a major meeting that drew a range of people from across Melbourne. I might add, just to show how diverse a coalition it is, that some of those people were from the Save Albert Park group, which was still trying to stop the grand prix from being run in Albert Park. I understand that that group is annoyed with the opposition because it now fully supports the government and recognises the importance of the event remaining at that location.

The diehards in the group — they are probably still down there this morning with their cups of Earl Grey tea and yellow ribbons — turned up in large numbers to the Save Our Suburbs meeting, as did people from other groups opposed to various proposals for parks and those opposed to medium-density developments. Opposition to medium-density developments was supposed to be the emphasis of the meeting, but it was attended by a diverse coalition of people with concerns about various developments, who said, 'The system is wrong'.

I welcome the changes in the attitude of Save Our Suburbs over the past 12 months. The organisation has become more constructive and has gained a greater perspective. I believe that, as it started to delve into the background of the issues, it began to understand that things are being done not on the whim of a minister or on an ad hoc basis but within a policy framework. It began to realise that rather than getting uptight about particular developments it ought to be going back to the minister and saying, 'We think some of your policy settings should be changed'. That is a proper approach for an organisation like SOS to take.

As it has moved towards a position of analysing policy and having more input on policy settings, the contribution of SOS over the past 12 months has been constructive. The minister has acknowledged that in comments he has made to the media and in correspondence he has sent to SOS, which I have seen as a backbench member of Parliament.

As I have said, Save Our Suburbs is starting to talk about what might be achieved in a policy sense and has recognised the importance of looking at the broader picture rather than at specific developments. Opposition members seem to be stuck on saying, 'We will grab an example out of the hat. It doesn't matter if it doesn't fit

the arguments, it will help one of our local Labor candidates get out a news release'. That is an unfortunate and ridiculous approach for the opposition to take, and it does it no credit when compared with the approach of SOS, which the opposition has used in the debate to try to promote its point of view.

As I have said, the government's suite of policies has given Victorians a better chance of achieving improved planning outcomes. In correspondence to SOS prior to its meeting in Hawthorn in February this year I said I believed the jury was still out on some aspects of the planning process the government had put in place. Some of the concerns Save Our Suburbs has raised are shared by some members of the government and the minister. I believe that, when seen in context, some of those concerns will be shown to have been aberrations, transitional or simply bad management by some local government authorities that did not understand the opportunities available under the new legislation.

As councillors become more conversant with the planning regulations and the opportunities available to them under the planning schemes in their municipalities, and, most importantly, become more conversant with the opportunities available under the municipal strategic statement, they will begin to develop a much stronger planning framework. That is what the government sought to enable them to do. It did not seek to frustrate or overrule local government, as the opposition suggested, but to strengthen its hand to enable it to make better decisions and address many of the issues that were evident in planning before 1992 when Mr Power was Rumpelstiltskin and apparently asleep. As local government becomes conversant with those schemes it will put more of them into place.

Local councils must adopt their planning schemes before they are sent to the Minister for Planning and Local Government for approval and settled. At this stage only 35 of the 78 councils have adopted the new-format schemes. The minister has approved 20 of the new schemes in stages and 14 have come into force. Effectively, only 14 of the municipalities have in force the suite of tools to provide the full planning process in their municipalities.

Some of the delays of the other schemes are about local councils in other areas not coming to grips with the importance of their municipal strategic statements, not working sufficiently on the translations of what they have had in the past, and not addressing some of the anomalies of their past planning schemes and developing the new planning zones and overlays that are available to them to achieve better systems.

The minister has approved a further six schemes and is currently considering a further eight. Once those schemes come into force the full effect of the government's reforms to the planning system will bear fruit.

Some of the ideas of SOS have been constructive to planning debate but I wonder about community acceptance of some. There is some merit. Some local government members with whom I have spoken accept some of them but are dead on other issues. Dr Miles Lewis, who spoke at the Hawthorn meeting in February, is one of the key driving people from SOS. He is an academic from the architecture department at Melbourne University and is quick to be critical of the coalition government. I do not believe he would be guilty of voting for the coalition, but he is coming from a particular point of view on issues.

Nonetheless, Dr Lewis said with some experience that there should be a shift in the debate and suggested that the answer to some of our new housing needs may be to put two or three levels of housing on top of our shopping centres. That is an interesting concept. I wonder what the people around Chadstone think of SOS and Mr Lewis's suggestion. I wonder what the people of Doncaster, Glen Waverley or Wantirna, with their shopping centres, think about it. In the case of a smaller shopping centre in my province that I know is having some economic difficulty I suggest that the council undertake with the developer some type of residential accommodation on top of that centre. I have some sympathy with pursuing that as an option.

I am illustrating that some SOS members have a particular point of view but they do not necessarily represent the broad community point of view. Some of the ideas would have to be tested to ensure that they are in a position to say, 'We know what the people of Victoria want from the planning system'. That is notwithstanding the fact that their input into the debate is welcomed, particularly now that it has developed a broader perspective in the past few months, as was revealed at the Hawthorn Town Hall. It has become more focused on those policy issues.

The point has been made in the debate that SOS and the ALP are not opposed to development, believe strongly that we should look more carefully at residential amenity, that development should be orderly and appropriate, not unplanned or sporadic, and that it should be in particular areas that are capable of sustaining that development. They are all matters on which the government agrees and which the local municipalities were told to examine when preparing their municipal strategic statements and planning

schemes. In many cases they already had some provision in their planning schemes for part of that development and it was simply a case of translating that to the new ones.

When considering how development should take place, municipalities should take into account local community amenity and the style of development, which is often represented by some of the elements of the *Good Design Guide*. For example, a municipality might come up with a set of prescriptions for one particular development in a certain area or street that may be ideal but perhaps four streets away may be a disaster because of the local streetscape or surrounding properties. It is only a guide. Other elements of those rules are available in the planning schemes themselves. They spell out what the municipality expects to achieve within its boundaries and the way in which to address particular issues.

I do not believe the ALP will achieve much in planning if it simply sticks to motherhood statements and suggests that the powers of the minister should be redefined. Most of the existing powers are the same powers that previous planning ministers had. Those planning powers have been shown to be appropriate in the achievement of proper state planning.

Despite the headlines and anecdotal stories, the current minister intervenes in very few applications that come before the planning system.

Until the Labor Party understands the total context of planning — that it is not just about the *Good Design Guide* — and until it recognises that some of the issues SOS is on about are more constructive in contributions to the process than has been the Labor Party's policy — because SOS is focused on policy and the need to address particular needs of Victorian communities — it will have difficulty in convincing Victorians at any election that it has any answers on planning issues.

There is no reason for the government to dramatically change the planning system now in place. I suggest to the Minister for Planning and Local Government in the other place that the authorities and councils that have not adopted the planning schemes should get a hurry-up. They should be advised to look carefully at the powers and responsibilities the legislation has given them and the opportunities available within the planning schemes, and realise that some of the things that SOS and government members have been talking about and that Victorians want in their planning schemes are responsive to community needs. They should recognise the investment of the people and their right to be provided with proper amenities. The

planning schemes recognise that local communities will be able to provide certainty in planning outcomes for the future.

Those rights are available under the existing legislation. The present system provides appeal rights, due and proper process and the opportunity for councils to deliver effective planning policies throughout the state. I trust councils will do that. The house should reject the motion, while recognising that the SOS groups have made a more constructive contribution to planning debates in the past six months than the opposition has managed to do since 1992.

Hon. M. M. GOULD (Doutta Galla) — I support the motion. The opposition is concerned about planning issues raised by the Save Our Suburbs (SOS) community groups with not only the opposition but the community at large. Mr Atkinson spoke about the policy directions of SOS and the community struggle to understand change.

The example I draw to the attention of the house is in the Carrum—Chelsea area. An SOS group has been established there because the local residents are genuinely concerned about a development in Chelsea where 1370 housing units and more than 403 single-detached houses are being or are to be erected on 762 housing blocks in an area of about two streets by two streets. The community is concerned that that number of houses or units is allowed to be constructed under the planning guidelines. It is also concerned about the lack of infrastructure to cope with such a major development.

The number of floods that occur in the area has increased substantially because of additional run-off water and the excessive load placed on the drainage system by the new housing. Members of the community have raised the issue with their local member of Parliament, only to be told, 'If you don't like it you can always move'. That is an inappropriate response from a government member of Parliament. I ask the house to imagine such a large housing development — 1370 units and 403 single-detached houses on only 762 house blocks! Mr Power's motion deals with community concern about the breakdown of proper planning processes in Victoria.

It is not simply a matter of opposing housing developments, which the opposition does not oppose in principle, but also of the resultant increase in road traffic, water usage, strain on the drainage facilities and possible floods from the construction of so many houses or units. The Chelsea community is genuinely

concerned about the ongoing changes to planning developments in the area.

Mr Power also referred to the McDonalds Family Restaurants development in Pascoe Vale. A 110-year-old house in Sussex Street has been partially demolished by bulldozers. In the past the community there has not become involved in political demonstrations, but people on the picket line there are determined to ensure that the house is preserved. They are concerned about the heritage of Pascoe Vale and Coburg.

Why does McDonalds want to build a fast-food outlet at the corner of Bell Street and Sussex Street? It wants to pick up customers among the many motorists who will detour off City Link to avoid paying the freeway toll. McDonalds wants to pull down a 110-year-old house so it can build a drive-through, fast-food facility.

McDonalds went to the council and then to the Victorian Civil and Administrative Tribunal. VCAT imposed conditions on the proposal, so McDonalds changed its mind. Now it wants to construct a fast-food, drive-through tunnel, not the usual fast-food outlet with children's playground and parking facilities. The tunnel would be only 15 feet from the next-door neighbour's front windows. No environmental or planning studies were conducted about building a tunnel; no account has been taken of possible exhaust emissions. No precedent exists for the construction of such a tunnel. The only facility that can be described as a drive-through tunnel that I know of is in Victoria Parade, Fitzroy, but the drive-through there is part of an underground car park.

McDonalds wants to pull down the house but the council and the community oppose its demolition. VCAT put certain proposals and imposed restrictions and consequent amendments and plan changes were made without consultation. But for the action of the local residents the 110-year-old house would have been totally demolished. One wall had already been ripped off, exposing the interior of the house to the elements. Save Our Suburbs is genuinely concerned about and acts for the community. For the past three or four months it has staffed the house 24 hours a day, 7 days a week to protect it from demolition. It will continue to do so.

The local community is concerned about the noise levels that would result from an increased traffic flow and about a number of small businesses — food outlets — just around the corner in Melville Road and Bell Street that are likely to lose trade.

Hon. T. E. Eren — Also about the value of their properties.

Hon. M. M. GOULD — As Mr Eren said, the residents are also concerned that a McDonalds sitting on the corner will result in a lowering of property values and an increase in the amount of rubbish in the area. Although I do not blame McDonalds for the rubbish — it has rubbish bins throughout its premises and at all exits — a marked increase in rubbish is generally evident when a McDonalds outlet is opened.

Although some people would say that this issue is only about a house, the concern of the community is for a property in Coburg that a Moreland council heritage review study has nominated as a B-grade heritage property. The residents are concerned about the amenity of the local community, about its businesses and about the safety of their children. Bell Street is already a busy road but it will get a lot busier once tolls apply on the Tullamarine Freeway because cars will pour off the Bell Street exit — —

Hon. B. N. Atkinson interjected.

Hon. M. M. GOULD — That's right; it is a reduction in revenue.

Hon. B. N. Atkinson interjected.

Hon. M. M. GOULD — I happen to live parallel to Bell Street, so I know exactly where the exit is.

If the proposal goes through the outlet in question will be the fourth McDonalds in the City of Moreland. The community is genuinely concerned about the small businesses in the area. A hamburger shop, a fish-and-chip shop, a pizza shop and a Chinese restaurant are located less than 30 yards up the road near the tram terminus at the corner of Melville Road and Bell Street. Schools are also located nearby.

Local residents are concerned about the lack of proper planning behind the proposal for the McDonalds store in Coburg. They are concerned about the impact it will have on their community, on the values of their properties, on other local businesses, on the safety of their children, and on the ambience of the area — with the problems of access and the increase in rubbish that will result from the opening of a drive-through McDonalds store.

Another community group that is genuinely concerned about the lack of planning in the state has drawn to my attention the Avenue of Honour in Ballarat. I was concerned as soon as I heard about it. I remember as a young child travelling to Ballarat and entering the city

along the Avenue of Honour. Members of the Ballarat community are concerned that the trees on the avenue, which were planted in memory of soldiers who fell in the First World War, are not protected under the planning heritage program and could be removed. No planning or heritage proposals exist to protect the trees. Although because each represents a fallen soldier the trees are an important part of the state's heritage for a large number of Victorians, the Heritage Council will not register any more trees.

In making its decisions the Heritage Council has to take into account a number of issues, and based on what has happened in the past on a number of planning issues there is no guarantee of protection for the trees along the Avenue of Honour at Ballarat. The Ballarat community is concerned about the future of the trees. The local council has raised concerns that the trees forming the Avenue of Honour, a number of trees in Victoria Park and the Ballarat botanic gardens have not been put on the heritage listing.

The opposition supports Save Our Suburbs and is concerned about a number of issues it has raised. The opposition acknowledges that given its commitment, policies and charter the organisation has a measured approach to planning. As has already been discussed today, SOS has taken up a number of issues on policy development. It is concerned about the rights of residents to raise concerns about the amenity of their local areas, which in most cases residents do in an appropriate manner. It is spreading and has groups in most places in the metropolitan area and across regional Victoria where communities are concerned about planning issues. There is a case for an increase in housing density but it must be accompanied by a proper planning approach that includes the provision of infrastructure.

A huge development in the Carrum area has resulted in costs arising from floods and road damage. An Oakleigh resident I spoke to over the weekend said he had no great objection to a development next door to his house which involved the demolition of a house and the erection of three units. Although he and other locals had no objection to the project and did not formally oppose it, he is upset because he was not advised during the planning permit process that his entire driveway would be dug up, that a garage on his premises — it is questionable whether it was erected legally, but it was there when he purchased the place — would be pulled down to facilitate drainage works because the mains would otherwise not be able to take the increased flow resulting from the development. He was not given information about the infrastructure changes that were proposed in the development and is concerned that his

garden bed and driveway are being dug up to allow a new main drain to be installed. Those are the sorts of issues that genuinely upset and concern people.

Hon. B. N. Atkinson — Council should have done its work.

Hon. M. M. GOULD — I am relating what happened to the gentleman to whom I was speaking over the weekend. Save Our Suburbs is becoming involved in such issues.

Hon. B. N. Atkinson — But the council has the ability to check such things.

Hon. R. I. Knowles — It has a responsibility to do so.

Hon. B. N. Atkinson — Yes, it has the capacity to make demands of developers.

Hon. M. M. GOULD — I acknowledge what Mr Atkinson says. As I said, the opposition has no problem with appropriate development. However, we must ensure that the community is informed about any development and that its ramifications are fully explained. The genuine concerns of residents must be listened to and addressed, rather than someone saying, 'That's bad luck', or 'We know what's good for the community', or, as Mr Atkinson said, 'Sometimes members of the community don't even know what's good for them because they can't keep up with the change'.

I disagree with that because I maintain that members of a community know what is good for them and their area. That is what a community is all about. I put on record my strong opposition to the attitude of those who dismiss people on the ground that they do not know what is good for them. The Save Our Suburbs organisation has picked up so much support because its members know what is good for their communities. They have lived in their areas for much longer than some of those who say 'We know what's good for you'.

For example, the planning scheme allowed the permit for the McDonalds store at Pascoe Vale to be ticked off by the City of Banyule, not by the City of Moreland. That municipality does not necessarily know the ambience of the neighbourhood or the desires of the local community.

The opposition has put on the record its concerns about the planning processes in this state as well as its acknowledgment of the Save Our Suburbs groups across Victoria. Mr Power set out the ALP's

commitment when in government to fix the breakdown in planning and improve the process so that members of the community will be genuinely involved and listened to and not dismissed as not knowing what is good for them. I urge honourable members to support the motion in the interests of the community.

Hon. P. A. KATSAMBANIS (Monash) — I oppose Mr Power's motion, particularly those elements that suggest that there has been some sort of breakdown in proper planning processes in Victoria. As Mr Atkinson rightly said, after listening to Mr Power one would think that prior to 1992 Victoria was a planning Utopia — or at least that the process provided a panacea so that there were no problems with planning. I suggest that Mr Power was being fanciful. It is clear that he was living not in Victoria but in a dream world.

Since time immemorial planning has revolved around the fact that some people push or angle for change while others want the status quo. Planning has always been an issue in Victoria, particularly where development is taking place — that is, new development or redevelopment in the inner city, such as in the area I represent. In my local area the majority of the older houses were built in the mid-to-late 1800s. You can drive through Port Melbourne, Elwood or Armadale and see different generations of development. Most of those buildings were built after community consultation — and with significant opposition. It is fanciful for Mr Power to say that prior to 1992 planning was not an issue. He should go all the way back to before we were born and consider the big-ticket planning issues of those eras. Planning has always been an issue of concern to people, as is fair and reasonable. Every citizen has the right to have a say on the nature and character of his or her neighbourhood.

Prior to 1992, there were thousands of pages of planning laws that in the main had been introduced by the former Labor government. Honest opinion was that planning was in a mess. Mr Atkinson outlined the many changes that have taken place in the past seven years to ensure that Victoria has a better planning system that provides greater certainty of outcome for everyone involved in the planning process — that is, residents, councillors, planners, developers and builders.

At all times the responsible authority for issuing planning permits in Melbourne remains the local council. Mr Power and other members of the Labor party have failed to grasp the point that the local council has control of all planning decisions made in its municipality. The council decides on the issuing of planning permits. People who are aggrieved with an

outcome have a right of appeal to the Victorian Civil and Administrative Tribunal, as is right and just in our society.

The development of the Save Our Suburbs group in the past few years is just a continuation of the practice of local people organising themselves to promote a planning policy position. There have been planning organisations in Melbourne for generations. Save Our Suburbs is not a new phenomenon, even though it is a new organisation and may act as an umbrella for various planning groups around the state. Back in the 1950s and 1960s there were lots of action groups in places such as Parkville, Carlton, Fitzroy, Richmond and South Yarra.

The area I represent has one of the longest-standing resident planning groups. For decades — certainly a lot longer than I have been around — members of the Toorak-South Yarra Group have been active in planning issues in the City of Melbourne, the old City of Prahran and the new City of Stonnington. Their involvement in the planning process has had the impact of achieving some significant outcomes for local residents. It is rather fanciful to say that the formation of groups such as Save Our Suburbs is either new or heralds some new direction. Members of the opposition are clutching at straws, trying to create an issue where one does not exist.

Interestingly enough, Mr Power's comments in the house today did little to advance the Labor Party's position on planning. As Mr Atkinson rightly pointed out, the motion was calculated to make some minor hits for Labor Party candidates in a series of marginal seats. Like Mr Atkinson, I was enlightened to discover the names of the mainly nondescript Labor Party candidates standing in marginal seats; but I failed to pick up today any coherent Labor Party direction or strategy for planning. That is nothing new, though, as the Labor Party does not have any coherent policy document or plan for any policy area in Victoria.

Under its new leadership Labor continues to be a completely policy-free zone. It shows a knee-jerk reaction to issues rather than outlining a plan for the future. As long as Labor members are as irrelevant as they are today, they will continue to lurk on the opposition benches. Most people in Victoria would say that is a good thing, because they do not want the sort of government the Labor Party is suggesting it would offer.

It has to be made clear that the responsible authority for planning — that is what those authorities are called in the legislation and in the entire process — is the local

council, not the state government. Local councils are charged with the responsibility of approving planning applications made either by developers or by owners of properties who want to change the nature of the building they live in. Often people forget that a vast number of planning applications have nothing to do with development or profit. People simply want to upgrade their accommodation. They might want to decrease or increase the size of their property or improve its amenity. That point is often forgotten in the planning process.

In the inner city local area of the electorate I represent, a significant change has occurred in the size and composition of households. The size of households is on a downward slide. Many years ago households averaged 3, 4 or 5 occupants. The average household in Melbourne today has just above two occupants. Hence a fundamental change in the nature of accommodation is necessary to cater for the number of people choosing to live in smaller households. The standard home is no longer on a quarter-acre block, with four or five bedrooms. It is clear that people require and demand smaller properties.

It is predicted that between 1996 and 2016 the average household size in the City of Port Phillip will be around 1.7 people. It is already fewer than two people. The demand for bigger properties is declining. Medium-density housing is a reaction to a fundamental change in the number of people living in a household and to a demand for smaller properties and dual occupancy.

Over the past decade there has been a boom in inner city living, initially facilitated, and rightly so, by the former Labor government. To its credit Labor encouraged urban consolidation and inner city living. There has been an exponential increase in the incidence of apartment living in the CBD and on the outskirts of the CBD — for example, in my electorate, in Port Melbourne, South Melbourne, St Kilda, South Yarra and Prahran.

Interestingly enough, in the City of Port Phillip in the five years between the 1991 and 1996 census the net population increased by 6.7 per cent — an annual growth rate of about 1.3 per cent. Some 15 to 20 years ago people said inner city municipalities would be effectively canyons, with no people living in them following the outflow of people to the middle and outer suburbs. Today that trend is being reversed, and that is true not just of the City of Port Phillip but also Stonnington, which covers the area —

Hon. S. M. Nguyen — It is everywhere.

Hon. P. A. KATSAMBANIS — Mr Nguyen is right. There is urban consolidation. People are moving back into the cities. In Stonnington between 1991 and 1996 the total population increased by 2.8 per cent. Some 20 years ago urban planners said fewer people would live in such areas by the year 2000. The shift is apparent.

Property prices reflect the increasing demand for smaller properties that meet the needs of people moving in from the suburbs. The trend is that people in their middle years, who may have raised their children, are moving towards the city to enjoy an inner city lifestyle and the attractions of the CBD, as well as shopping precincts such as Chapel and Acland streets, restaurants and cafes and the hidden jewel in Melbourne's crown, the bay and its associated water activities.

In the last six months of 1997 the value of building development in the City of Port Phillip totalled \$78 million. In the neighbouring City of Stonnington it totalled \$76 million. More than \$150 million worth of building work has taken place in those two municipalities alone. What does that mean? It means jobs and activity. Mr Power stated that planning issues caused little consternation before 1992. That probably says something about economic development and the attitude of Victorians at the time. Victoria was in recession. It was slowly fading away as people moved interstate and overseas. In the past seven years a great demand for new property has driven a building boom. That is why there have been more planning applications and a greater focus on planning issues. More people want to invest and build a stake in the state.

Hon. W. I. Smith — It is a better economy.

Hon. P. A. KATSAMBANIS — Ms Smith is right. Better economic performance has resulted in more jobs. People can afford to build better housing. There are more jobs in Victoria, and a large number of them are in the building industry. Would Labor Party members seriously suggest curtailing building development and planning applications to stop planning issues from arising? Labor wants to take us back to the late 1980s. Perhaps Labor should tell the people of Victoria that it wants to stop the building industry from growing and stop the development of new jobs, apprenticeships and opportunities for Victorians.

The Victorian government, through the Department of Infrastructure, is creating an environment in which good planning outcomes can be achieved, with input being received from everyone involved in the process — local residents, councils, developers, planners, architects and other design professionals. As

Mr Atkinson rightly pointed out, the major tools for achieving those outcomes are the new planning schemes, which were established to focus on both state and local strategic directions.

Each municipality has been charged with the responsibility of introducing a new-format planning scheme. Planning schemes need to incorporate a municipal strategic statement, setting out local policies and the basis for the council setting limits and controls on developments. All honourable members would agree there is nothing wrong with setting limits and controls for development, but they need to be spelt out. Equally the policy rationale needs to be set out both for residents who want to protect the character of an area and for people who want to develop new buildings.

It is disappointing that only 14 of the 78 Victorian municipalities have adopted and implemented their new-format planning schemes and only 35 municipalities have their schemes in the pipeline. Local councils are the responsible authorities and have been given the instrument by which to set planning policy frameworks and limits and controls on development in their areas. It is disappointing that the vast majority of councils — more than 50 per cent — are yet to put their new-format planning schemes and municipal strategic statements in place.

The new system will greatly facilitate appropriate development by increasing certainty and removing delays. Planning process delays do not affect only developers. Certainly developers want to get planning applications through as soon as possible, but I have noticed from issues raised by constituents that residents also want that certainty and want delays in the system ironed out. The last thing residents want is to be sitting around month after month — in some cases 6 to 12 months — waiting for a decision on what is going to be built in their streets. They want a process that facilitates quick outcomes and certainty for them.

The new-format planning schemes provide councils with an opportunity to enforce the planning outcomes they want for their local communities with renewed vigour. The schemes have a policy focus and operate under a consistent set of statewide planning provisions that remove the thousands — I believe there were more than 2000 — of separate zones in the old planning schemes which existed prior to 1992 and which Mr Power was harking back to. Having 2000 different types of development zones does not create certainty and is insane in a state the size of Victoria. Labor's planning arrangements were a joke, and the new planning schemes are an attempt to avoid and correct that situation. The new arrangements will be more

useable because it will not be necessary to wade through thousands of pages of planning policy to understand the schemes. There will be more consistency in the provisions that apply across the state and that will provide more certainty for everyone involved, rather than their having to worry about some quaint local law in every instance.

The arrangements will also set out a strategic direction and framework policy to enhance the capacity of Victorians to protect the quality of the state's cities, neighbourhoods and the physical environment. Local municipalities will actively encourage their communities in strategic planning initiatives for the future. There is no point in knee-jerk reactions to changes to properties down the street or up the road; the government must focus on long-term planning outcomes. That is what the new-format planning schemes are about and what local councils should be about. When one talks to local residents one realises that is what they are about. Anyone will take an interest in what is happening to the house next door or down the street, but everybody is really more concerned with the overall direction of planning in the area. The strength of local communities and neighbourhoods depends on what happens in the grander scheme that applies to the whole local community.

The new system will involve tests to measure its effectiveness, such as annual monitoring and reviews. Each new planning scheme must be reviewed every three years to ensure it continues to provide a strategy focus and achieves its objectives. Importantly the schemes will facilitate investment. The schemes will simplify and clarify the developer approval system to make it more effective in achieving desirable development, and at the same time will give local communities a real say in the planning outcomes in their neighbourhoods. Throughout the process the minister and government members have made it clear that the contribution of all resident groups, including Save Our Suburbs, is welcomed in the process because there is no doubt that those organisations have a strategic stake in the outcomes achieved through the state's planning processes.

The government has put out information to empower Victorians to have a say in the planning process. Documents such as 'Your Street Your Say' give people the details they need, but with which they have never been provided, to have a say when planning outcomes and planning permit applications affect them in their day-to-day lives by affecting the character of their neighbourhoods and communities. Such documents have been widely distributed and, from the feedback I have had, all sectors of the community applaud the

government for, for the first time, arming people with a guide that gives them real direction on how to participate in the planning process. That also highlights a big difference between the government and the opposition. When the opposition talks about community involvement it does not mean involvement of people at the grassroots level but of its mates in the trade union movement or other ancillary groups that revolve around the Labor Party.

The government is concerned with giving power to all Victorians to have a say in the issues that affect them. When opposition members scoff at documents such as 'Your Street Your Say' they are saying that they are not interested in empowering Victorians to have a say. Opposition members want to hoodwink Victorians; they want them to come up with slogans that the Labor Party puts in their mouths. The government wants Victorians to have real knowledge so they can make up their own minds, have a say and stand on their own feet. Victorians recognise and appreciate the difference between the government and the opposition.

There is fundamental change in building development, particularly in the inner city and the areas I represent. Great changes in demographics have led to changes in the demand for residential accommodation. Other factors include an ageing population, the decreasing size of households and the renewed vigour and enthusiasm that is evident in the inner city as a result of the good work of the government. At any time of great change throughout Victoria's history there will always be people who feel threatened by change. Their first reaction is to either object to change or to resist or fight it. In the planning process it is often easier to dismiss those sorts of people as nimbys, or not-in-my-backyard people.

On an issue as important as planning it is important to realise that the nature and character of areas are important to all Victorians. Everyone should be entitled to have a say. In a planning context the desire of residents to look after the character of the areas in which they live is often combined with a desire to protect property values. The investment in the family home is the most valuable investment most Australians will make. The home is a major asset that most people want to protect. If the desire of people to have a say in their neighbourhood is taken together with their desire to protect what in most cases is the major investment in their lives, it is obvious people will want to have a say in any outcome in their area. It is important in the planning process for the government to ensure that the views of all interested parties can be fairly heard prior to the approval of any fundamental change.

The new-format planning scheme ensures that people get to have their say and that everyone's views are weighed equally. The government has placed the principal responsibility for ensuring the efficacy of the process in the hands of local government, just as groups such as SOS have been demanding. The manner in which local government authorities undertake and execute their responsibilities affects their communities' perceptions of the entire planning process.

I will highlight how various local government authorities in my electorate have taken up the challenge offered by the government to embrace, adopt and implement a new-format planning scheme and policy framework that will create long-term certainty in planning for each municipality. Firstly, the City of Port Phillip, which was briefly mentioned in another context by Mr Power, was one of the pilot councils — and the first in the metropolitan area — to introduce the new-format planning scheme. It incorporated a municipal strategic statement that set out a vision for the type of planning and development the City of Port Phillip, its residents, businesses and stakeholders wanted. It undertook significant community consultation and produced an outstanding document that outlines a broad policy thrust and rationale for planning in the municipality. As a result, planning issues in the City of Port Phillip are handled professionally at both a council officer level and — when they get to the floor of the council to be debated — at councillor level.

The City of Port Phillip can hold its head high for its willingness to be a pilot council and take up the challenge of introducing the new-format planning scheme. Its strategic policy and the direction of its planning process have given the council the wherewithal to effect some good outcomes. At all times the new-format planning scheme has been the council's reference point for resolving some difficult planning issues — what I would call big-ticket planning issues. The council has handled them all extremely well; it is a credit to the City of Port Phillip.

One of the major issues was the Acland Courtyard development. Many honourable members will remember the high level of community concern when the proposal was first floated. High-profile protesters set up a crane to highlight the height of the building and the effect it would have on the local community, including the amenity of local residents.

After consultation, which is permitted by the planning process, a compromise was reached between the council and the developer, and the development proceeded. As we speak, it is almost completed. At the

end of the application process, when the council gave the developer the green light, the project was in the main embraced by local residents. Ironically, a number of the high-profile protesters who led the charge against the development when it was mooted were among the first people to buy units off the plan! That is perhaps the biggest tick a planning process can receive — that the people who initially objected to it are so happy with the outcome that they are pleased to buy into the project.

The Esplanade Hotel is another high-profile issue in the municipality of Port Phillip. Again, a great deal of community concern was expressed last year about a proposed development on the hotel site. A series of public meetings was held. I vividly recall attending one, at which I spoke out against the proposed 38-storey tower on the site. My colleague the Minister for Small Business was also one of those who objected to council as part of the formal objection process.

Hon. M. M. Gould interjected.

Hon. P. A. KATSAMBANIS — Just listen, Mrs Gould, and you might find out!

Hon. M. M. Gould — Not 'Mrs'!

Hon. P. A. KATSAMBANIS — Miss Gould, if you listen you might find out. The proposal underwent the normal planning process and was subsequently defeated at council, and the developer has withdrawn it. I dare say that if the developer came back and submitted new plans, they would be considered on their merits under the effective planning process that the City of Port Phillip has implemented.

As Mr Power pointed out, the Gateway to the Bay project is another big issue of statewide significance because it concerns the extent of development along Melbourne's foreshore. I take issue with what Mr Power suggested. I believe all honourable members will acknowledge that Port Phillip Bay does not merely belong to the communities that live around it. As I said earlier, the bay is one of the jewels in Melbourne's crown and is important to everyone. The nature of development around the bay — not just in Port Melbourne or St Kilda, but along the entire coast from Queenscliff to Portsea — affects all Victorians.

The perimeter of the bay is an asset of statewide significance. It is therefore important that any planning outcomes along the St Kilda and Port Melbourne foreshore are negotiated between the local council and the state government. It is as important for the state government as it is for local government, and the most important people to listen to during the planning process are local residents.

The City of Port Phillip is currently engaged in a round of negotiations and community consultation on proposals for Gateway to the Bay developments that have been floated by the Department of Infrastructure, the council, interested residents and community groups. I have no doubt that, using the municipal strategic statement and the new-format planning scheme as guides, there will be a positive outcome — just as there has been with other issues relating to the City of Port Phillip. I also have no doubt that the outcome will preserve the heritage and character of the local environment, which makes it such an attractive place in which to live.

As I said, in the five years to 1996 the number of residents increased by almost 7 per cent, which means increasing numbers of people are attracted by the essential nature of the area. I am sure the outcome of the negotiations on the Gateway to the Bay projects will provide opportunities for responsible development that utilises our bay and ensures that all Victorians have access to it. I am also sure it will consolidate in the planning process the trend to inner urban living. We do not want inappropriate planning, building and development to kill the goose that lays the golden egg. We do not want people in the Victorian building industry to end up on the unemployment scrap heap, as they did in the latter years of the Cain–Kirner governments. We want to ensure the continuation right across Victoria of responsible and appropriate development that is not stifled by irresponsible, ad hoc and knee-jerk planning decisions.

I spoke about the planning processes adopted by the City of Port Phillip. In my electorate there is an unfortunate contrast between the Port Phillip City Council and the Stonnington City Council. Stonnington has yet to formulate its municipal strategic statement and its new-format planning scheme. It undertook part of the process late in the time frame outlined by Mr Atkinson. As yet, it has not concluded the process, and it is spending a lot of time getting it right.

As a result over the past few years that council has had no strategic direction and guidance on planning issues and the outcomes that it wants for the municipalities. Unfortunately ad hoc decisions have had to be made in the City of Stonnington. There is no overall strategic rationale or justification without the new planning scheme. Having recently elected a number of new councillors, it is unfortunate that it lacks a document that outlines the strategic direction and planning for the municipality. It is therefore not a coincidence that there is an enormous backlog in the City of Stonnington in processing planning applications not only for residential planning issues but also town planning issues relating to

commercial properties. That backlog results in months of waiting and uncertainty for the community.

Earlier I spoke about how that uncertainty was not only a matter of uncertainty for developers but also for residents affected by any new proposals for developments in the municipality. The backlog has significant potential to slow down growth and development in the building sector, which is crucial to employment growth. It also has the potential to impact on areas like Stonnington by curtailing growth in those areas and pushing it into other municipalities that will affect the rate base of the municipality in the long term and will also affect the Chapel Street tourist precinct. Numerous examples abound of a planning process under the old scheme that is bogged down in bureaucracy, paperwork and red tape.

It is incumbent on a municipality such as the City of Stonnington to get it right as soon as possible to introduce new-format planning schemes that will give it, the councillors and residents certainty about the strategic direction, division and planning outcomes that the council wants for its municipality.

I turn to comments made by Mr Power that were attributed to the shadow planning minister in the other place, the honourable member for Albert Park. He spoke about how the honourable member for Albert Park on 3 March this year — —

Hon. M. M. Gould — He referred to 13 March.

Hon. P. A. KATSAMBANIS — I heard it as 3 March. Mr Power's contribution will be recorded. He suggested that the honourable member for Albert Park spoke about the Minister for Planning and Local Government having given the green light to the 38-storey tower on The Esplanade in St Kilda. I hope Mr Power was right because it will highlight how out of touch and out of date the honourable member for Albert Park is. There is no current proposal for the development on The Esplanade site. A proposal was put to and rejected by the local council after significant community consultation and withdrawn by the developer. Currently the developer has no plans for that site. The developer is formulating a new plan and in due course will come up with something. How can the honourable member for Albert Park as the shadow minister say that the Minister for Planning and Local Government had given the green light to a development proposal that does not exist? It highlights how out of touch he is with the system.

As the alternative planning minister, should a Labor government be elected, he offers no alternative, no

plan, no vision and no policy for planning strategy in Victoria. He and the Labor Party are exercising a knee-jerk reaction to a particular small bush or scrub fire that has been set up around the suburbs.

Today I thought the motion would be a good opportunity for Mr Power on behalf of the Labor Party to outline a strategy and a vision for planning policy and outcomes for Melbourne and Victoria. Instead we heard a diatribe of platitudes and motherhood statements. There was nothing about policy or vision because the Labor Party has no plan for the future of Victoria. That was highlighted today by Mr Power and it is in stark contrast to what the government has done. It has introduced a new planning system that gives every stakeholder a real say. The new-format planning schemes are the basis of that planning system. They give local government the opportunity to outline the strategy, vision and direction they want to see planning and development take. The system gives certainty to residents and developers, and the government has actively gone out and given Victorians the information they require to rightly participate in the system when it affects them.

No longer do we say, 'If you're concerned about an issue go and object to the council'. A document has been produced which, in effect, says, 'These are your rights and responsibilities. This is a plan of action for you'. It is called 'Your Street Your Say' and it gives people a legitimate say. It is not saying, 'You're not sailing in the wind and you're at the mercy of whether you can afford legal representation'. The government is giving residents the tools to empower them to have a real say. That is what the government is about. The new system has led to a building boom in the state that has proved beneficial for economic growth and jobs for all Victorians. As the system continues to develop and municipalities adopt a new-format planning scheme it will enable people to negotiate often difficult planning outcomes like the new planning scheme of the City of Port Phillip and that can be replicated across metropolitan Melbourne and Victoria generally.

The tools are in place and local councils have to pick up the ball and introduce the new planning schemes, consult with their communities and give everybody a real stake in the outcome. The minister has welcomed the input of Save Our Suburbs, as I welcome it. I read its document and policies, much of which the government is already delivering. With the robust nature of political discussion and debate the government will continue to work with all residents and groups, including SOS, in the process to effect good planning outcomes for Victorians, unlike the Labor

Party, which has no plan, no vision and no policy for the future.

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

Hon. T. E. EREN (Doutta Galla) — The motion proves the existence of a serious breakdown in planning across the state. The motion states that the house:

... acknowledges the establishment of Save Our Suburbs groups across Victoria, indicating a significant level of concern in the community about the breakdown of proper planning processes in the state.

Victorians are sick of being denied their rights to have a say about what happens in their streets and suburbs. The outrage and disappointment in the community has resulted in the establishment of Save Our Suburbs (SOS) groups. Mr Power gave a couple of examples of the many planning disasters in Victoria. McDonalds at Torquay and Coburg are classic examples.

Miss Gould mentioned the impact on the local community. No regard is being paid to traffic problems, noise levels or other problems.

Honourable members interjecting.

Hon. T. E. EREN — We do not say we are against McDonalds — I quite enjoy its food: we are talking about a breakdown in the planning processes in Victoria. Miss Gould talked about the developments in Chelsea and Carrum Downs, where more than 1000 units have been built on only about 700 blocks. The infrastructure must be adequate to tackle the issues about which the community is concerned. The Minister for Planning and Local Government in the other house should be ashamed at his lack of consultation. For that reason SOS groups have been established across the state in protest against what they believe to be violations of the environment and planning. The establishment of SOS is evidence that the community is outraged at the government and the minister.

What does SOS seek to do? Firstly, it seeks to preserve the amenity and rights of existing residents. Secondly, it seeks to preserve and enhance the character of Melbourne's suburbs. Thirdly, it believes there is a case for an increase in residential density in some areas.

Fourthly, SOS believes medium and high-density development should take place in properly chosen locations in a coordinated fashion rather than upon an unplanned and sporadic basis. Fifthly, it believes greater densities can and should be achieved without adversely affecting existing residents and with better quality results than at present.

Honourable members interjecting.

The DEPUTY PRESIDENT — Order! There is too much noise in the chamber. It is difficult for members and Hansard to hear Mr Eren. I ask honourable members to keep the level of conversation and interjections down.

Hon. T. E. EREN — Sixthly, SOS believes the expansion of urban Melbourne should be contained by means of direct government intervention to prevent the development of peripheral agriculture and other land use. Seventhly, it believes all forms of development should bear the direct and indirect costs involved, so far as they can be calculated, unless a subsidy is required in the public interest and for explicit reasons. Eighthly, it believes the planning system requires modification to meet the reasonable expectations of residents. Ninthly, SOS believes the government, and particularly the Minister for Planning and Local Government in the other place, should accept responsibility for the state of the planning system and should rectify it as necessary. Tenthly, it believes the detailed planning of local areas should be the responsibility of democratically responsible local governments.

Those objectives and concerns of the community are a reasonable request of coalition members. On the one hand, the Minister for Planning and Local Government totally disregards the community; on the other hand, the Minister for Conservation and Land Management in the other house violates the rights of the community. Mr Atkinson said Mr Power's contribution to the debate contained the same old Labor Party rhetoric, yet Mr Atkinson spent time on his feet bagging the opposition and uttering the same old phrases we have become used to hearing.

Honourable members interjecting.

Hon. T. E. EREN — The coalition has been in government since 1992 — if it cannot rectify the planning crisis in this state it should not be in office. Mr Atkinson argued that the Labor Party was not pro-investment.

Honourable members interjecting.

The DEPUTY PRESIDENT — Order! There is too much noise in the chamber. It would be more productive to listen to what Mr Eren has to say.

Hon. T. E. EREN — The opposition is pro-investment, pro-jobs, pro-education, pro-health and certainly pro-proper planning laws in Victoria. The state should have proper planning laws in place. Ordinary Victorians invest in houses only to have their

properties lose their value because of inappropriate planning laws. That is not on.

Mr Katsambanis's contribution was full of the usual rhetoric he learned in his university days from the Liberal Party student organisations.

Honourable members interjecting.

Hon. T. E. EREN — Planning laws in Victoria have certainly broken down. The opposition and Victorians ask the community-minded coalition members to support the motion.

Hon. N. B. LUCAS (Eumemmerring) — I am pleased to oppose the motion. The record should show that 100 per cent of people in the public gallery departed while Mr Eren was making his contribution.

Hon. T. E. Eren — It's a pity you didn't leave.

Hon. N. B. LUCAS — The motion purports to suggest to the house that the proper planning processes in the state have broken down.

The reason given for that is the establishment of Save Our Suburbs (SOS). According to the opposition, SOS is spreading like wildfire across Victoria, but there is no SOS where I come from. There are no branches in Bunyip, Garfield, Tynong, Nar Nar Goon, Pakenham, Officer, Berwick, Narre Warren, Dandenong, Gembrook, Cockatoo, Emerald, Mulgrave, Hampton Park, Narre Warren South, or Dandenong North — not one branch! I have not heard from the SOS people. Who are they? Someone suggested to me over lunch that SOS stood for 'same old stuff'. I suggest that that may well be true.

At page 2 the 1971 report, *Living City*, states:

Planners are people of wide education in many disciplines. They spend their entire professional lives studying the urban phenomenon, its causes, its effects, and its surrounding ecology. They relate what was to what is and seek to ensure that what will be shall avoid some of the tragic mistakes of the past. Yet planners are the popular Aunt Sallys of the age. No matter what decisions they make, they become the target of ignorance and prejudice. They are attacked by disappointed profiteers on the one hand and on the other by the obsessed fringe that lies beyond the rational area of conservation; by exploiters of popular prejudice and —

this is where it gets to the nub of the matter —

by the born 'stirrers' whose mission in life, it seems, is to be against everything. It is impossible to please everybody;

A 1998 report entitled *Towards 2000 and Beyond: Managing Change in a Changing Community* suggests that the number of people per household in

metropolitan Melbourne has declined significantly and that between 1966 and 1996 the figure per household had dropped from just below 3.5 people per dwelling to below 2.7 people per dwelling. At page 4 of the report the interesting point is made that if the average household size had not changed in the preceding 30 years the present population of Melbourne could have been accommodated in at least 200 000 fewer dwellings. An extra 200 000 dwellings are needed because of the change in the number of people living in each house. Therein lies the challenge of the 1980s and 1990s.

The opposition has suggested that housing density was not an issue prior to 1992. That is wrong. A document entitled *Urban Development Options for Victoria; a Discussion Paper*, which is signed by Andrew McCutcheon, the then Labor Minister for Planning and Urban Growth, under the heading 'Issues', states at page 23:

The current pattern of low-density suburban expansion is heavily subsidised through public services and infrastructure that is not recouped.

It further states:

... it is necessary to rethink the form and density of much of Victoria's housing.

At page 24 it states:

... the potential for dual occupancy, multi-unit housing in suburbs, more effective residential development provisions and higher-density suburban housing has hardly been tapped.

That was said back in 1990, yet the opposition has asserted that that was not a problem before 1992. It was a problem the Labor Party was trying to address in those days, albeit not very well.

In the context of the extra 160 000 households predicted to be established in the next 15 years and the extra 200 000 houses that had to be created in the 30-year period I referred to just to accommodate the reduction in the number of people per house it is necessary to provide additional housing. People across the board do not all want to live in triple-fronted brick veneer houses 30 or 40 kilometres from Melbourne; many want to live in the chardonnay-sipping suburbs closer to Melbourne. That is an honourable proposition and people should be given the opportunity of doing so.

The DEPUTY PRESIDENT — Order! Particularly to Mr Smith, the level of conversation in a direct line between the Hansard reporter and the speaker is making it impossible for Hansard to record the proceedings. Once again, I ask all members in the chamber to keep the level of noise down.

Hon. N. B. LUCAS — The opposition has implied that perhaps development on the fringes of metropolitan Melbourne should be held back. That is an honourable suggestion but if fringe development is held back and development of medium and high-density housing in inner Melbourne is slowed down or inhibited in some way, this city will have a housing problem. That is not what anyone wants.

Logical planning policies have to be worked out by local councils, with the support of the government, to provide appropriate planning so that people can live where they want and in the types and sizes of houses they want, and be close enough to the services they think should be close to them. The government has done many things to make that happen. The government has encouraged local government, as the responsible body for planning in local areas, to get involved in the preparation of new planning schemes. New planning schemes have to be based on the corporate plan of a local area as adopted by the council, and a strategic statement prepared by the council must articulate the importance of the different issues the council wishes to pursue. As a result of the consideration of those two documents a planning scheme is prepared. Councils across Victoria, particularly in the metropolitan area, are preparing planning schemes. In turn those schemes are being adopted and put to the Minister for Planning and Local Government for approval.

Honourable members interjecting.

The DEPUTY PRESIDENT — Order! The Chair cannot possibly hear the contribution being made. This is the third time in 5 minutes that I have been on my feet asking members to desist from contributing to the level of conversation in the chamber. If we want to get through the debate before question time we will have to remain silent so that we can hear what each member is contributing to the debate.

Hon. N. B. LUCAS — Thank you, Mr Deputy President. I notice that most of the noise is coming from the opposition side. As I was saying, the government has put in place a number of programs to assist local government with its important task of overseeing local planning.

The role of local government should be underlined, emphasised and highlighted. What happens in the local authority area is really a local government issue. The government is happy, willing and able to work with councils to ensure that the most appropriate development proposals are put through in accordance with sound town planning guidelines. In addition, the

government has issued publications to local communities such as 'Your Street Your Say' and a guide to medium-density housing, which invites members of those communities to have their say in their local councils — to get in their two bob's worth. With its Pride of Place program the government is encouraging councils to be involved in urban design initiatives in both commercial and residential areas. Real money has been put into the programs. The government is also encouraging councils to consider setting zonings and identifying areas that should be used for medium and high-density housing.

In summary, Save Our Suburbs has a legitimate role to play. The minister has written to SOS to tell it that the government is happy to hear from any organisation that has views on planning and other issues that it believes should be considered. He has answered the queries put to him a couple of months ago. He has highlighted the government's belief in consultation — that is, that communities should be able to form groups and make representations to government — and in local government having a real role to play in the planning process.

As to the wording of the motion 'that this house acknowledges the establishment of Save Our Suburbs', some would begrudgingly acknowledge that such organisations are being formed in our society. I believe they have a role to play, and I am not begrudging in acknowledging the role played by Save Our Suburbs. However, it is a nonsense to use the existence of an organisation to support the contention that there has been a breakdown in the planning process. The opposition motion should not be supported, and I strongly oppose it.

Hon. S. M. NGUYEN (Melbourne West) — There is a lack of time to speak. Therefore I shall make my remarks brief. I support the motion, which government members have a problem supporting because the government wants to undermine the Save Our Suburbs group. It would be better for the government to learn where the members of the group come from before starting to undermine its work.

In the past few months, many groups similar to Save Our Suburbs have been formed in suburbs such as Footscray, Williamstown and Altona. People are getting together because they are concerned about planning decisions and overdevelopment next to their houses and those of their neighbours. The groups protect residents and raise the voice of the community. Representatives of the groups talk to councils about issues such as car parking.

Since the election of the government in 1992, the community has had little opportunity to talk to councillors. The commissioners were followed by new councillors who do not know much about the planning processes — and some councils have underhand officers. Many of the articles written about planning outline the concerns of people who are worried about planning and have therefore organised into groups. Problems have been raised also about the *Good Design Guide*. Mr Jack Hammond, the president of Save Our Suburbs, has been reported as saying clearly that there have been complaints about the Minister for Planning and Local Government involving himself in and interfering with the planning processes of government departments and elected councils. I strongly support the motion.

House divided on motion:

Ayes, 9

Eren, Mr	Power, Mr
Gould, Miss	Pullen, Mr
McLean, Mrs	Theophanous, Mr
Nardella, Mr (<i>Teller</i>)	Walpole, Mr
Nguyen, Mr (<i>Teller</i>)	

Noes, 32

Asher, Ms	Furletti, Mr (<i>Teller</i>)
Ashman, Mr	Hall, Mr
Atkinson, Mr	Hartigan, Mr
Baxter, Mr	Katsambanis, Mr
Best, Mr (<i>Teller</i>)	Knowles, Mr
Birrell, Mr	Lucas, Mr
Bishop, Mr	Luckins, Mrs
Boardman, Mr	Powell, Mrs
Bowden, Mr	Ross, Dr
Brideson, Mr	Smith, Mr
Cover, Mr	Smith, Ms
Craige, Mr	Stoney, Mr
Davis, Mr D. McL.	Strong, Mr
Davis, Mr P. R.	Varty, Mrs
de Fegely, Mr	Wells, Dr
Forwood, Mr	Wilding, Mrs

Pair

Hogg, Mrs	Hallam, Mr
-----------	------------

Motion negatived.

CHAMBER: SOUND SYSTEM

The PRESIDENT — Order! Honourable members may recall my statement to the house on Wednesday, 18 November 1998, regarding investigations into the acoustics of the Legislative Council chamber. After further consultation on the subject with members I am able to report to the house the progress that has been made.

The audio consultants spoke to many honourable members as well as staff of the Department of Parliamentary Debates and other stakeholders about the audio system. Although most members recognised the benefits that an upgraded audio system would provide to Hansard staff, the public and the media, they expressed a number of concerns.

In particular, members were of the following views: an upgraded sound system may interfere with or change the conduct of the business of the chamber; sound reinforcement may significantly alter the ambience and intimate atmosphere of the chamber; and the privacy of members may be compromised in that private conversations may be picked up and broadcast around the Parliament.

The consultants have presented a report highlighting difficulties faced by Hansard reporters due to both the nature of the chamber and shortcomings of the existing sound recording system. The report recommends a sound system design that will improve the sound quality to Hansard reporters while overcoming the concerns expressed by members.

There will be no change to the current sound reinforcement system within the chamber nor will there be any change to the manner in which business within the house is conducted. The only noticeable difference will be the wearing of small headsets by Hansard reporters while in the chamber.

The recording system will move from analog to digital, which will enhance the quality of the sound and lead to the opportunity to provide for the recording of speeches on tape or compact disk.

Australian Timken and industry development in Victoria.

Miss Gould seems to have missed the point. Successful industry policy — indeed, any industry policy — is more than about trying to intervene after the event: it is about being proactive or catalytic. Companies are asked what opportunities they can provide and are helped to foster them and enable them to grow. Because of successful industry policy and a catalytic approach to the growth of industry, the economic statistics I have read out in previous answers to identical questions have been put on the record: Victoria has had the highest economic growth of any state, the largest fall in unemployment of any state and the highest level of employment. Those statistics are welcomed and have come about because our industry policy is working.

Employment policies such as those offered under the Community Business Employment program assist companies that have indicated either indirectly or directly that they will be downsizing at the end of next year or in the coming months. Employees who will be job seekers at some future stage are offered help in those circumstances.

I hope the Leader of the Opposition can draw some threads together when the opposition looks to creating and publishing its first-ever industry policy and being held accountable for it, which has not occurred for seven years. The success of an industry policy is based on proactivity, early intervention, strategic leadership and a range of follow-up systems in program development. The bottom line is that that is why the economic statistics and industry growth are so good now.

QUESTIONS WITHOUT NOTICE

Australian Timken: Ballarat closure

Hon. M. M. GOULD (Doutta Galla) — I refer the Minister for Industry, Science and Technology to the decision taken by Australian Timken in Ballarat to close, with the loss of 180 jobs. Following the announcement, what action did the minister or his department take to prevent the factory's closure and the subsequent loss of 180 jobs?

Hon. M. A. BIRRELL (Minister for Industry, Science and Technology) — I will repeat the question for the benefit of honourable members, because the Leader of the Opposition refuses to throw her voice across the table. She appears to be embarrassed by a series of questions that have been written about

International Year of Older Persons

Hon. G. B. ASHMAN (Koonung) — Will the Minister for Aged Care advise the house of recent government initiatives to assist Victorians to celebrate the International Year of Older Persons?

Hon. R. I. KNOWLES (Minister for Aged Care) — As honourable members would be aware, each year the United Nations nominates a theme or area of celebration. All honourable members would be aware also that often those years pass without notice. Few members would be able to recall that last year was the International Year of the Ocean, but all honourable members would be able to recall the impact of the International Year of Disabled Persons which had a significant impact on the way the community thought about and addressed the challenges, opportunities and limitations society imposes on people with disabilities.

It is the government's wish that 1999, the celebration of the International Year of Older Persons, will have the same impact as the International Year of Disabled Persons. With the increase in longevity and demographic change, the community needs to understand that for the vast majority of people increased longevity is a positive experience and does not have dependency or frailty as an inevitability. For instance, it is true that the single largest group contributing to our community as volunteers is still older people.

The government certainly understands that if international years are to have an impact they have to be a community celebration and not something that governments bring about. The government has a role to play, and that can be seen this year. The government formed a partnership with a group called Coalition 99, comprising about 150 different organisations, which will consider a range of activities and ways the international year can be celebrated.

The government has been very active and supportive. In Geelong a couple of weeks ago I announced grants of \$10 000 to 20 groups spread throughout Victoria to facilitate older people being able to understand, access and use information technology, particularly the Internet. The government has funded a series of initiatives and has joined with Vichealth to provide funding to a range of groups for projects to celebrate this international year. In fact, the government was so overwhelmed with applications that both it and Vichealth have committed \$250 000 each to the project. That is an additional \$500 000, which brings the funding for the projects up to \$1 million.

I am pleased to advise the house today that the government has allocated \$1 million from the Community Support Fund for small projects worth up to \$1000. Groups can apply for funding to upgrade facilities or purchase equipment or property or to assist them in some other way in fulfilling their role. Although \$1000 is a small amount, I am sure all honourable members would be aware of many groups in their communities which are not asking for large amounts of money but which often need small amounts of money to repair or purchase equipment or to renovate a facility.

A government advertisement inviting applications will appear in the media on Saturday, with applications closing on 14 May. I urge all honourable members to promote this initiative as a way of generating community interest in the International Year of Older Persons and obtaining funding for projects in their areas which will be of lasting benefit to those organisations

that support and facilitate the continuing contribution of older people to society. The government views this as an important international year, and I look forward to keeping the house informed of developments as the year progresses.

Western Highway, Ballarat: route options

Hon. PAT POWER (Jika Jika) — I direct my question to the Minister for Roads and Ports. In July 1997 Vicroads commenced consultation on the future of a section of the Western Highway at Ballarat between Leigh Creek and Woodman's Hill. The City of Ballarat and the Ballarat Gateway Association, comprising local traders, have indicated their clear preference for one of the three proposed route options made available to them by Vicroads. As it is now April 1999 I ask the minister to advise whether all route options proposed by Vicroads have been made available to the City of Ballarat and to the gateway association and indicate when the government will announce its decision.

Hon. G. R. CRAIGE (Minister for Roads and Ports) — I thank the honourable member for his interest in rural Victoria, particularly a major regional city such as Ballarat. One issue that has come to light during the process is the enhancement of Ballarat as a major regional city. Three options were originally circulated after lengthy consultation not only with the council but also with the Ballarat Gateway Association, the community and local members of Parliament. Having worked through the process, it came to light that none of the options really addressed the issue of a gateway — that is, how does someone actually recognise that he or she is coming into a major regional city in Victoria?

After some deliberations last year, and following a letter from the council asking the government to look at the project — the letter was sent to my office in the latter part of last year — the government started to look at the development of a rural gateway project. The local geography, the already established businesses such as the motel, the service station and the fruit and vegie shop, the new truck facility and the important Rivers Australia development proposal were considered. I assure honourable members and all Victorians that the government supports developments such as the planned Rivers development. It must ensure that any proposal will enhance the opportunities not only for Rivers but also for businesses already in existence and the City of Ballarat.

In the past three weeks the government has met with the City of Ballarat, its business advisory group, the

Ballarat Gateway Association — that was last week — and some members of the original liaison group. They have been informed that the government is developing another option which will be referred to as the gateway option. Within the next three or four weeks it will be produced in a format suitable for distribution to consultative groups. I have given an assurance to the gateway association, the council and the people of Ballarat that they will be fully consulted on the issue and that, more importantly, the project will match a major highway linking Adelaide and Melbourne with the significance of Ballarat as an important employment area.

The community can rest assured that the government and Vicroads will comply with the statutory obligations of the Minister for Planning and Local Government, who will receive the recommendations and then make recommendations to me. I expect that in a short time people will know which option for the Western Highway will be adopted.

Employment: older job seekers

Hon. E. G. STONEY (Central Highlands) — I ask the Minister for Industry Science and Technology to advise the house of employment opportunities for older job seekers.

Hon. M. A. BIRRELL (Minister for Industry, Science and Technology) — I thank the honourable member for his question, which I realise he has generously asked on behalf of another person who will go only by the codename of Pat! Those individuals deserve our interest and support.

I officially launched the government's 45-Plus Skills Initiative with an individual who is aged over 45 and has decided to ensure his skills are advanced and that he moves from one career to another — David Parkin. David Parkin is best associated with football and less well known as an employee of Deakin University. He wants to ensure his skills are kept up to date. Mr Parkin is adopting a whole-of-life approach to skills enhancement, and that is an approach we should all adopt. We should not think that when we finish school or university that is sufficient. Workers aged 45 and over comprise the fastest growing sector of the work force. They are among the most skilled of workers, yet often they are less capable when it comes to job seeking than much younger people. Sometimes they also face a barrier in that advertisements for jobs may be so structured that people over the age of 45 do not think they can apply. Rarely, because it is illegal, will an advertisement state that the applicant must be young to get the job, but often advertisements are written to

imply that there is a barrier for people over 50, because they state that the applicant must know how to use Windows computer systems. Often people over 50 have never been involved in computer technology but could learn to use it if they had the opportunity.

The 45-Plus Skills Initiative therefore offers a pilot training program called Skills Pay, which encourages hundreds of people to take up, for example, TAFE courses to enable them to obtain the necessary skills to help them find employment. That will assist, for example, people over 50 years of age who need fresh computer skills which, linked with their experience and maturity, will ensure they obtain employment. It is an education campaign targeted at employers. It does not assume that all employers have in their work force the age diversity they want and recognises that employers can gain a lot if they use the skills and loyalty offered by people over 45. The initiative is a real attempt by government to ensure that it understands the needs of older job seekers and to ensure that the Community Business Employment program helps in the final stage of employment seeking. It is a job placement service for people who are over 45 and have been unemployed for less than one year.

The government hopes to promote a greater understanding of the assets offered by those people. It has a sympathetic understanding of the tragic position of individuals who have to produce a CV for the first time in their lives because as breadwinners of families they do not have jobs and therefore need assistance.

Food: service plan

Hon. D. A. NARDELLA (Melbourne North) — I refer the Minister for Small Business to the recent changes to the Food Service Act and the difficulty that small businesses in the food industry are encountering in complying with the regulatory changes. What action has the minister or her department taken to assist small businesses in the food industry to comply with these regulations?

Hon. LOUISE ASHER (Minister for Small Business) — The Minister for Health and I have taken a number of actions to try to make it easier for small businesses to comply with the requirements to produce food safety plans. I state at the outset that the government has focused on the integrity of food and the importance of having a viable food industry with a strong reputation for cleanliness. I recall Mr Nguyen raised with me the issue of small business failures in Springvale and expressed his concern about that issue. Part of the concern has resulted in the requirements on businesses to produce food safety plans.

I strongly support the requirements on business to produce food safety plans because it is the right thing for the food industry overall in Victoria. It is recognised that for smaller businesses there may be increased compliance costs. My department is working with the Department of Human Services to develop a model food safety plan which smaller businesses can obtain free of charge and pick up quite easily.

In response to small business concerns on the matter I recently held a regulatory reform planning day in my department where representatives of major associations such as the Restaurant Caterers Association sat down with people from the Department of Human Services and talked through some of the transitional and compliance issues. The government is well aware of compliance requirements on small businesses. It is vital that food businesses in Victoria conform with the highest standards. The departments are working together, and probably the most specific example of that I can provide is the free-model food service plan that is being developed as we speak.

Pedestrian crossings: wheelchair access

Hon. SUE WILDING (Chelsea) — Will the Minister for Roads and Ports please inform the house of the government's initiative to assist people in wheelchairs at pedestrian crossings?

Hon. G. R. CRAIGE (Minister for Roads and Ports) — One of the difficulties that confronts people in wheelchairs occurs when they come across intersections where there are traffic lights. Quite often there is inadequate time for people in wheelchairs to cross the intersection.

Hon. Rosemary Varty — It is not only inadequate for those who are in wheelchairs.

Hon. G. R. CRAIGE — I will get to Mrs Varty in a minute. Recently the government examined ways of using technology to help people in wheelchairs to cross intersections with pedestrian lights. The government has begun to install a special set of detector loops at the intersection of Station and Carrington streets in Box Hill, and it is expected the installation will be completed at the end of May. The loops detect the presence of a wheelchair at the crossing and increase the timing phase from 8 seconds to 16 seconds, which will give most people using wheelchairs time to cross the intersection. When the crossing is not being used by people in wheelchairs the normal 8 seconds will apply.

Microroads will inspect the intersection to determine whether the time is adequate for people with disabilities, particularly people in wheelchairs. The

government is trying to have most of the intersections assessed to see whether it can install more detector loops to enable people to cross the road safely.

Just as an aside, while I was travelling to work in the rain early this morning I saw a person in a wheelchair having great difficulty crossing the intersection at Collins and Exhibition streets. The person was well behind the rest of the crowd, and the light was well and truly red before the wheelchair was even halfway across. To make it even worse, the person's umbrella had turned inside out.

That is an example of how people in wheelchairs can become stranded at intersections. The detector loop initiative is a step in the right direction towards ensuring that people in wheelchairs can access intersections with safety.

The government will continue to look at the development of detector loops, but it is also considering other programs for people with disabilities. Audio-tactile devices are installed in up to 20 sets of traffic lights every year. The government is also making provision for the treatment of kerbsides and footpaths to ensure that people in wheelchairs have easy access to roads.

I should add for Mrs Varty's benefit, she having raised the issue, that the government has also introduced puffin crossings at some intersections, where slow-moving persons can be detected and where the lights adjust automatically to allow extra time for those persons to cross. The crossings are being introduced slowly, because the government has to ensure they are installed at appropriate intersections.

The government believes the initiatives it is introducing, with their attendant benefits, make the lives of people with disabilities a lot easier.

Knox hospital

Hon. M. M. GOULD (Doutta Galla) — I refer the Minister for Health to the proposed privatised hospital at Knox. Will he guarantee that the government will provide enough additional funds to fully fund the cost of treating patients at the hospital when it is completed, or will some of the money have to come from the budgets of existing public hospitals in the Inner and Eastern Health Care Network?

Hon. R. I. KNOWLES (Minister for Health) — I thank the Leader of the Opposition for her question. In the metropolitan health services plan, which it released in October 1996, the government spelt out its blueprint for the redevelopment of acute services across the

metropolitan area. The plan did more than ensure public hospital infrastructure was brought up to a standard appropriate for the next millennium, albeit that that drove the development of the plan in the first instance. The government was also keen to redress the inequitable distribution of health services. Over 60 per cent of acute hospital services were delivered within an 8-kilometre radius of the Melbourne GPO. That is clearly not where the bulk of the population of Melbourne lives. Huge growth has occurred in the outer suburban areas in the west, the north, the east, and the south.

The government took the view that it needed not only to upgrade facilities but to move services closer to where people lived. It has done that systemically, and it is now looking at increasing the movement of services in the North Western Health Care Network from the inner city outwards to Werribee, Sunshine, the new integrated health care centre at Broadmeadows, and the new hospital at Epping. The government is also considering moving services south to Frankston, Dandenong and a new hospital at Berwick, as well as moving services in the Inner and Eastern Health Care Network out to the outer eastern area. That process has already commenced.

The government has moved mental health services out to Maroondah Hospital; it has boosted the renal dialysis services at the Angliss Health Services; and it has moved specialist aged care services. Many more patients are now being treated at Maroondah Hospital and the Angliss Health Services. That process will continue, including the movement of some resources to the new tertiary hospital at Knox.

The gaps in the outer east region were in the provision of tertiary services. Initially the concept was to develop the new Knox hospital in two stages. I have previously advised the house that, after doing more detailed work, the government decided it would be much better to combine stages 1 and 2 and do a single construction of the new tertiary hospital. The government had originally envisaged about 18 000 patients being treated in stage 1, but, more work having been done on the concept, it now seems more sensible to consider building the hospital having 30 000 to 35 000 patients as a base.

Detailed work on that project is now being done. It will take the government about 12 months to complete the profile and the detailed planning of clinical services, and it will then go to the sector for bids to build, own and operate the new tertiary hospital.

The aim is to combine the funding of new services with existing services. The government is trying to prevent people living in the outer east having to come to the inner city for treatment by taking the services to them, which is good health planning. While the opposition has not expressed any support for the plan, it would be interesting if it were to publicly express strong support for the movement of services closer to where people live. I know it did not do that in government, but —

Hon. C. J. Hogg — Monash?

Hon. R. I. KNOWLES — Yes, it did stage 1 at Monash. It is interesting that in its 10 years in office the Labor government built two new hospitals. They were stage 1 at Monash, and Werribee — and at Werribee it contracted with the private sector. It closed a public hospital at Werribee and contracted with the Sisters of Charity to build a new hospital. It is interesting, is it not? When Labor is in government it is pragmatic about policy developments; when it goes into opposition, it immediately becomes ideologically driven. That is why it will stay in opposition for many years to come.

The government is proceeding with the detailed planning work to ensure the building of a new hospital at Knox that will provide a comprehensive range of tertiary referral services to people living in the eastern and outer eastern suburbs. Funding for that hospital will come from a combination of the movement of existing services and the annual increase in the budget for public hospitals. Growth funding will help the government provide the additional capacity, just as in recent years the government has used its growth funding to boost the provision of services in the other outer suburban areas of Melbourne, particularly in the Southern Health Care Network and the Peninsula Health Care Network, where there had been an inequitable distribution of available services.

I notice Mrs Hogg nodding her head. As a former health minister she is well aware that most of the government's distribution of acute health dollars reflects historical decision-making, not rational planning. The metropolitan health services plan was about rational planning for the movement of services closer to where people live, and I look forward to having a new tertiary hospital in the outer east early next century.

Small Business May

Hon. J. W. G. ROSS (Higinbotham) — Will the Minister for Small Business advise the house of the activities scheduled for this year's Small Business May?

Hon. LOUISE ASHER (Minister for Small Business) — I am delighted to advise the house that we will be launching Small Business May this Friday.

Hon. M. A. Birrell — In April!

Hon. LOUISE ASHER — There has been such a fantastic response to the month during the past few years, we are allowing people to get in early and book their events.

Last year 86 events were held during Small Business May and there were 5200 participants. This year there will be 99 events. Half will be in regional Victoria. There will be a range of private sector sponsors, and I thank in particular Pacific Access, which is Yellow Pages, Citipower, GIO and Multimedia Victoria for their sponsorship. It will defray much of the cost of Small Business May.

I am also indebted to a number of strategic alliance partners from 75 organisations, including local government, the private sector and a range of peak associations. As happened last year, there will be business expos in Bendigo and Mildura. A business world expo will be held in the city this year from 7 to 9 May. This year there will also be business expos in Morwell and Ballarat. There will be four theme weeks, a regional small business week, a multimedia and information technology week, a networks week and a marketing and advertising week, all of which have been requested by the small business community in previous years.

The aim is to provide practical and useful information to those who want to participate. The government has received good pragmatic feedback over recent years about the seminars and activities. I look forward to further reporting to the house on the success of Small Business May.

PANCH site

Hon. T. C. THEOPHANOUS (Jika Jika) — I refer the Minister for Health to the stalemate that has developed between him and the community that is demanding the establishment of an integrated care facility in Preston as the government promised. I noted the minister's comments in answer to the previous question about shifting resources. However, it should not be done at a cost, as the minister would appreciate, given the existing resources promised.

Given that the minister admitted in a recent meeting with People for PANCH that the facility in Epping was overstretched and that there may be transport difficulties, will the minister now enter into discussions

with the new owners of the PANCH site to see whether a publicly operated, integrated care facility can be incorporated in the new development?

Hon. R. I. KNOWLES (Minister for Health) — It is amazing how discussions that occur at deputations are reported back and bear little relationship to the point made. The point I made to the deputation led by the mayor of Darebin City Council was that the success of the government's policy is indicated by the use of the new Epping hospital —

Hon. T. C. Theophanous — So it is overstretched?

Hon. R. I. KNOWLES — The number of people using the Epping hospital has certainly exceeded expectations, just as the new child and adolescent mental health services at Maroondah Hospital have seen a huge increase.

As a passing comment, the new privatised hospital in the Latrobe Valley is treating far more patients than was ever envisaged either by the department or the operator. Why? Because people are voting with their feet; they are seeking services.

What has long been known is that if services are moved where people are able to access them they do so. That is particularly true for poorer members of the community. Lack of access means they do not access the services because they have to travel distances.

The deputation I received last week, which Mr Theophanous is criticising, came after the Department of Finance announced the sale of PANCH. From my perspective it was a good discussion. Why? Because the City of Darebin has begun an analysis of the health needs of the Darebin community focusing particularly on the issues that have an adverse impact on the health status of the citizens of that region. A number of significant issues are involved such as people from non-English-speaking backgrounds and refugees not having much contact with the generic services.

I told the City of Darebin that, from memory, it will be about 10 weeks before the health needs analysis is complete, but that that will provide a good basis on which the government can examine boosting primary health promotion and preventive health and strategies in that community. While those representing the PANCH group were arguing that any additional services should come from the PANCH site, I believe the council would prefer the government to consolidate those primary care services at the effective community health centres in the City of Darebin. One of the movements the government is trying to achieve is the concept of the

one-stop shop where people can access a range of services. I put to the council and to the deputation that the community will be much better served by consolidating the primary care services through the community health services.

Hon. T. C. Theophanous — What about the PANCH site?

Hon. R. I. KNOWLES — I shall explain to Mr Theophanous what I explained to the deputation and which it understood. I had previously mentioned the concept of providing day surgical and diagnostic procedures. The clinical advice was that although there has been a huge growth in day procedures there is a significant risk to a small number of people that complications will set in and they will require additional backup that may require admittance to hospital for a number of days. The clinical advice was that it would be better to provide that service at the new redeveloped Austin and Repatriation Medical Centre at the repatriation site that will provide day procedure services.

Hon. T. C. Theophanous — You were going to boost community health centres.

Hon. R. I. KNOWLES — I was not. One of the difficulties is that Mr Theophanous does not know a thing about health.

Hon. T. C. Theophanous interjected.

Hon. R. I. KNOWLES — He constantly demonstrates that he does not understand the difference between primary care and surgery. It is elementary that there is a basic difference between surgery and primary care. The clinical advice to the government was that it should have the surgery and diagnostic procedures as part of the Austin and Repatriation Medical Centre redevelopment because that will provide backup in those small number of cases where complications set in.

That leaves primary care. I put it to the house as I put to the deputation that it is much better to consolidate primary care through an integrated health service using the Darebin community health centres, of which there are two. Darebin provides a good basis for the government to take the health needs analysis the council is currently conducting. It will then examine how to practically build that primary care service as part of the existing primary care.

The Darebin City Council is interested in the redevelopment. With the changes I announced last week the government is inviting bids from geographic areas to examine how primary care can be integrated

even more to deliver better outcomes. That is how we can move forward to further enhance health care services to raise the health status of the citizens of the City of Darebin. That was the outcome of the deputation. It was a successful and productive discussion that focused on future health needs and how to go forward to better meet those needs.

Nurses: shortage

Hon. B. N. ATKINSON (Koonung) — I welcome the benefits that accrue from the forward planning in health. Will the Minister for Health advise the house of strategies he has undertaken to address nurse labour force issues that are emerging at national and state levels?

Hon. R. I. KNOWLES (Minister for Health) — The government cannot operate a health system without the dedication of the nursing profession. That is fundamental not only in the provision of acute care but in the whole range of health care in other settings. The training and keeping of an adequate work force within the health care system is a joint responsibility between the commonwealth and the states. The Victorian government spends about \$22 million a year in hospital settings to provide training and ongoing development for the nursing profession. In addition, recently it undertook a number of specific initiatives such as the strategy of trying to change work practices within hospitals to reduce the risk of back injuries.

The government has allocated \$1 million to a number of projects to examine the issues involved in establishing independent nurse practitioners and trying to get a better understanding of the legal, educational and interprofessional relationship issues involved in an integrated nursing practitioner system.

From time to time the Department of Human Services has also funded projects into labour force projections. Today I released the most recent one, which shows that in 10 years the state will face a significant shortage of nurses. We already face a shortage of specialist nurses in some key areas — for example, critical care, peri-operative care, psychiatric health care and specialist geriatric health care. Some of the statistics from the labour force projections are of concern, and the issues must be addressed. I know it is of little comfort, but this situation applies across Australia; it is not peculiar to Victoria.

Some of the changes the commonwealth government has made to the tertiary education system are having an impact. We require nurses with one degree to undertake

postgraduate training to continue to develop their skills in some of the specialist areas I referred to.

On the agenda for the next Australian health ministers conference I have listed discussion on ways of developing an integrated national approach to this issue. Often discussion occurs in the community about the shortage of doctors, particularly in rural areas, but there is a similar problem with nurses as with other health professionals. How do we attract, train and retain nurses in the public health sector and throughout Victoria? The issue is important.

The work already done will help inform that debate. The government will take up the issue at a national level to try to ensure that Victoria continues to have adequate numbers of appropriately trained members of the nursing profession. Without that resource it is impossible to maintain the high-quality health care system that the community not only enjoys now but has a reasonable expectation that it should continue in future decades.

The issue requires changes and innovation to attract and retain appropriately trained members of the nursing profession in the health care system across all settings and areas of speciality that are an essential part of the health care industry.

QUESTIONS ON NOTICE

Answers

Hon. R. I. KNOWLES (Minister for Health) — By leave, I move:

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

The question numbers are: 1462, 1496–1499, 1722–1726, 1729, 1746, 1768, 1804, 1810, 1815, 1817, 1820, 1823, 1835, 1837, 1850, 1853–1855, 1896, 1901, 1905, 1908, 1933, 1971, 1972, 1977, 1980, 1984, 1985, 1988–1990, 1993, 1996, 2001–2003, 2012.

Motion agreed to.

SUPERANNUATION ACTS (FURTHER AMENDMENT) BILL

Second reading

For **Hon. R. M. HALLAM** (Minister for Finance),
Hon. R. I. Knowles (Minister for Health) — I move:

That this bill be now read a second time.

The purpose of this bill is to make miscellaneous amendments to specified superannuation acts, including amendments to ensure compliance with the latest commonwealth preservation standards.

The commonwealth has legislated new preservation standards to apply from 1 July 1999. These new standards require all growth to a superannuation benefit from that date, whether through contributions, earnings or accruals, to be preserved until the minimum preservation age is reached, or upon prior death, disability or early release due to severe financial hardship or on compassionate grounds.

Preservation age is 55 years of age for persons born before 1 July 1960, increasing by one year up to 60 years of age for persons born after 30 June 1964. To continue compliance with commonwealth retirement incomes policies as agreed to in the commonwealth–Victorian heads of government agreement signed in 1996, these changes to preservation standards will also be applied to all Victorian public sector superannuation schemes through the current legislative mechanism of raising an order in council to specify the preservation standards to apply from 1 July 1999.

To ensure that there is no conflict between the new preservation standards to be issued under the order in council and the acts governing benefit entitlements for members of Victorian public sector superannuation schemes, the bill includes amendments in those acts to clarify that all benefits payable under those acts are to be subject to any relevant specified standards.

Provisions are being inserted in the Public Sector Superannuation (Administration) Act 1993 and the State Superannuation Act 1988 to extend the coverage of standard provisions of preservation, early release of benefits and anti-discrimination law to transferred members of the Melbourne Water Corporation Employees Superannuation Fund; the Port of Melbourne Authority Superannuation Fund; the State Casual Employees Superannuation Fund; and the Metropolitan Transit Authority Superannuation Fund.

As the rules governing the rights and obligations of this small number of transferred members were the rules as in force at the time of transfer, any legislative changes made since that date to the Public Sector Superannuation (Administration) Act 1993 or the state Superannuation Act 1988 to reflect current commonwealth or state anti-discrimination law or to comply with commonwealth standards on preservation or early release of benefit do not apply to these members. The amendments proposed in the bill enable

these standard legislative changes to be applied to the governing rules of the former funds so that these members are neither less nor more advantaged than any other member of a Victorian public sector superannuation scheme.

Amendments are being made to the Superannuation (Portability) Act 1989 which will allow deferred benefits to be accessed at the minimum age of retirement without the need for the person to have also retired from the work force. This change brings the access provisions for deferred benefit entitlements held under the Superannuation (Portability) Act 1989 into line with the access provisions for deferred benefit entitlements held in other Victorian public sector superannuation schemes.

A redundant provision in the state Employees Retirement Benefits Act 1979 is being repealed.

The bill amends the Magistrates' Court Act 1989 to provide that the Chief Magistrate is to receive pension entitlements equivalent to those of a County Court judge. Such an arrangement is consistent with the leadership and managerial tasks required of the office and reflects the recommendation of the Judicial Remuneration Tribunal that the Chief Magistrate is to be remunerated on the same level as an ordinary member of the next highest court. Such a nexus already exists between the Chief Judge of the County Court who is remunerated at the same level as a judge of the Supreme Court.

I commend the bill to the house.

Debate adjourned on motion of Hon. M. M. GOULD (Doutta Galla).

Debate adjourned until next day.

MARINE (AMENDMENT) BILL

Second reading

Hon. G. R. CRAIGE (Minister for Roads and Ports) — I move:

That this bill be now read a second time.

The purpose of this bill is to amend the Marine Act 1988 with respect to the provision of pilotage services in port waters. This includes setting safety standards for the provision of those services and extending the Marine Board of Victoria's powers to investigate and prosecute offences against that act and the regulations.

Section 96 of the Marine Act 1988 makes it an offence for a master of a vessel that is 35 metres or longer in length to operate in port waters without the services of a licensed pilot. The pilot's function is to provide advice to the ship's master to ensure safe navigation in port waters. The use of licensed pilots is compulsory in the port waters of Melbourne, Geelong, Hastings and Portland.

Pilotage services for the ports of Melbourne, Geelong and Hastings have, since 1 July 1989, been delivered under an exclusive agreement between the Marine Board of Victoria and Port Phillip Sea Pilots Pty Ltd. This agreement expires on 30 June 1999. The Port Services Act 1995, which gives effect to the government's port reform process, including opening port services such as pilotage to competition, prevents continuation or extension of the current or similar agreement.

The Marine Act and regulations at present deal with the licensing of pilots as an occupation, but do not address safety issues associated with the provision of pilotage and transfer services or give the Marine Board power to regulate the activities of providers of pilotage services.

Safety

One of the aims of the port reform process was to introduce open competition in the provision of pilotage services in Melbourne, Geelong and Hastings. Alternative providers will be able to enter this market with the end of the current monopoly agreement with Port Phillip Sea Pilots Pty Ltd on 30 June this year. This will create the potential to further reduce costs and improve service levels for shipping lines accessing the ports of Melbourne, Geelong and Hastings and build on the already significant improvements in Victoria's ports performance flowing from the reform process.

However, submissions made to the national competition policy review of the Marine Act 1988 raised concerns about possible adverse impacts of open competition on safety standards. There is concern that open competition, if not subject to basic safety controls, could result in a degradation of safety standards and an increase in shipping incidents. A shipping incident poses significant risks to the financial operation of the port, to safety, to the marine environment, and to property such as port infrastructure and the vessel.

Consequently, the competition review recommended that existing safety requirements for pilotage services be reviewed and any necessary changes be put in place prior to open competition occurring to ensure that there are no negative effects on safety standards.

The Marine Board's existing powers enable it to regulate some safety aspects of pilotage provision through its occupational licensing standard for pilots. However, there are a number of matters that cannot be addressed within the existing legislation. The Marine Act and regulations do not specifically address safety issues associated with provision of pilotage or transfer services or give the Marine Board power to regulate providers of pilotage services.

The legislative proposal is intended to facilitate competition for the provision of pilotage services whilst maintaining safety standards that are nationally and internationally consistent. Safety standards for pilotage will also be consistent within Victoria as the proposal will apply to the provision of pilotage services in all four of Victoria's commercial ports, including Portland.

The issues to be addressed in the proposed legislation are:

- to require registration of pilotage service providers;

- to enable safety standards specific to the provision of pilotage services to be set out in the legislation and provide for the Marine Board to have power to approve alternative safety measures on a case by case basis;

- to ensure that the board has sufficient power to create appropriate occupational licensing standards for pilots;

- to establish penalties for contravention of the standards set out in the legislation and increase the penalties for offences associated with failure to engage a pilot; and

- to enhance the powers of the Marine Board to investigate pilotage incidents and enforce safety requirements associated with pilotage services.

The approach in the bill is to specify pilotage safety standards and establish offences for failure to comply with those standards. Penalties for the offences created are commensurate with the gravity of the standard breached, with significant penalties for breach of standards relating to fatigue management and safe operation.

The Marine Board is to have power to approve alternative safety arrangements. This is intended to allow a measure of flexibility without negatively impacting on safety outcomes. Providers of pilotage services will be required to register with the Marine Board before commencing operation to provide the

board with a current database to facilitate management and enforcement of pilotage standards.

The fees under proposed sections 26J, 26M and 26O of the principal act will be utilised to defray the costs of registration and other services under those sections.

Marine Board investigation and enforcement powers

The Marine Board has recently drawn attention to limitations in its investigation and enforcement powers, which it considers may reduce the board's capacity to enforce safety obligations of providers of pilotage services.

In particular, the board is presently unable to detain a vessel in port in order to undertake an investigation, unable to compel the giving of evidence to an investigation and unable to suspend licences or certificates pending completion of an investigation. These powers are available to equivalent bodies in other states. The proposed bill will give the board these powers subject to restrictions which will minimise the potential for adverse commercial consequences for the vessel.

Extension of the Marine Board's powers at this time, so that these powers might be exercised from the commencement of competition, will ensure that the benefits of competition are realised without compromising safety in the provision of pilotage services.

I commend the bill to the house.

Debate adjourned on motion of Hon. PAT POWER (Jika Jika).

Debate adjourned until next day.

GOVERNMENT SUPERANNUATION BILL

Second reading

For **Hon. R. M. HALLAM** (Minister for Finance),
Hon. R. I. Knowles (Minister for Health) — I move:

That this bill be now read a second time.

The purpose of this bill is to establish a new state entity, the Government Superannuation Office, to act as trustee and administrator for the unfunded closed defined benefit schemes of the State Superannuation Fund and to enable the Victorian Superannuation Board to make a valid election for the Victorian Superannuation Fund to become regulated under

commonwealth supervision. These changes are to take effect from 1 July 1999.

Currently the Victorian Superannuation Board administers the closed defined benefit schemes of the State Superannuation Fund as well as the Victorian Superannuation Fund, which is an accumulation scheme. The Victorian Superannuation Fund was established in 1994 and has experienced meteoric growth to date with around 100 000 members in that fund.

The philosophies, strategies and systems required to administer the high-growth Victorian Superannuation Fund compared with those required to administer a contracting and more complex State Superannuation Fund has necessitated the establishment of separate administrators for these two funds.

The Victorian government's policy for superannuation reform to date has included the transfer of many public sector superannuation funds to commonwealth supervision when a public sector fund is fully funded and the direct state government involvement in the fund is limited to paying employer contributions like all other sponsoring employers. Enabling funds to transfer to commonwealth supervision reduces the duplication of supervisory and legislative activity in an area where the commonwealth has primary policy responsibility and allows for a concentration of the state's supervisory activities on those schemes for which the state bears an ongoing financial obligation and an associated financial exposure.

The Victorian Superannuation Fund is a stand-alone, fully funded accumulation scheme under its own legislation. As there is no financial risk to the state, there is no impediment to allowing this fund to transfer to commonwealth supervision. Transferring this fund to commonwealth supervision will also remove state-imposed competition and service delivery restraints and provide important marketing opportunities in the proposed choice-of-funds environment. Under this new arrangement, significant opportunities will be created to provide an increased range of products and services to members.

This bill contains transitional provisions and repeals the Public Sector Superannuation (Administration) Act 1993 to enable the Victorian Superannuation Board to make a valid election for the Victorian Superannuation Fund to become regulated under commonwealth supervision from 1 July 1999.

The current board and selected staff of the Victorian Superannuation Board will transfer employment to

Vicsuper Pty Ltd, a trustee company which will be established to act as the administrator of the Victorian Superannuation Fund under commonwealth supervision. There are no changes to the existing rights and entitlements of Victorian Superannuation Fund members. These members can be assured that the transfer to commonwealth supervision will mean that their superannuation fund is placed within the same prudential supervisory environment as the majority of Australian superannuation fund members.

With the transfer of the Victorian Superannuation Fund to commonwealth supervision under the administration of Vicsuper Pty Ltd, the administration of the closed defined benefits schemes of the State Superannuation Fund, of which the state currently has a significant financial exposure of around \$15 billion, will need to be administered by a new entity.

The bill establishes the Government Superannuation Office, which is to be a separate service agency within the Department of Treasury and Finance portfolio. The Government Superannuation Office will have a board of directors comprising three employer representatives, three member-elected employee representatives and an independent president nominated by the minister and appointed by the Governor in Council. The minister will appoint the chief executive officer. All staff of the office will be subject to the Public Sector Management and Employment Act 1998. The bill contains provisions to ensure that the independent president is only able to vote on issues that do not directly involve members' benefit entitlements. There are no changes to existing rights and entitlements of State Superannuation Fund members.

The bill inserts provisions to cover the transfer of staff of the Victorian Superannuation Board to either the Government Superannuation Office or to the new trustee of the Victorian Superannuation Fund.

Provisions are inserted in the bill to ensure that, within the first two years of operation, the administrative operations and activities of the Government Superannuation Office are to be subjected to a contestability review and tendered to the most efficient provider. Fund administration policy and contract management will remain the responsibility of the office.

Provisions in the bill establish the Victorian Funds Management Corporation as the fund manager for the assets of the State Superannuation Fund, in accordance with the investment strategy determined by the board of directors of the Government Superannuation Office. The service delivery of the Victorian Funds

Management Corporation will be subject to biennial reviews by the Government Superannuation Office.

The Government Superannuation Office is to be subject to the same state borrowing and investment guidelines that apply currently to the Victorian Superannuation Board and other Victorian public sector superannuation administrators under the Borrowing and Investment Powers Act 1987.

The outcome of these proposed changes will permit the Victorian Superannuation Fund to more actively compete in the very competitive superannuation marketplace and lift services to members. The proposed changes will also allow the state government to focus on its responsibilities in respect of the State Superannuation Fund where the state has a significant financial exposure, which will continue for some time to come. As mentioned before, those changes will have no effect on the existing rights and entitlements of members of either the State Superannuation Fund or the Victorian Superannuation Fund.

Provisions are also inserted to allow any other public sector superannuation scheme declared by the minister to become an administered scheme under the administration of the office if required.

I commend the bill to the house.

Debate adjourned for Hon. M. M. GOULD (Doutta Galla) on motion of Hon. Pat Power.

Debate adjourned until next day.

BARLEY MARKETING (AMENDMENT) BILL

Second reading

Debate resumed from 13 April; motion of Hon. G. R. CRAIGE (Minister for Roads and Ports).

Hon. PAT POWER (Jika Jika) — At the outset I indicate that the opposition does not oppose the Barley Marketing (Amendment) Bill. Clause 1 clearly sets out the purpose of the bill:

... to provide for the deregulation of the domestic market for barley, the dissolution of the Australian Barley Board and to make further provision for the marketing of barley.

The opposition acknowledges that that purpose will result in some significant changes being made to the existing legislation.

Australia accounts for 50 per cent of the world's malting exports and approximately 22 per cent of its

combined barley exports. In the international context, Australian barley comprises approximately 1 in every 5 tonnes of barley traded. Some reports prepared after an examination of the effects of regulation and deregulation suggest that the government's policy, which was to refuse to embrace change and allow market signals to be sent, was costing the industry a significant amount of money, estimated to be between \$8.5 million and \$10 million per annum.

The opposition has some concerns about the industry. Firstly, domestic regulation has been unworkable and unpoliceable; secondly, the existing timetable for regulation is too long; and thirdly, greater flexibility is required in export regulation to provide cooperatives with the opportunity to open new niche markets.

The bill provides that for the 10 years between 1 July 1991 and 30 June 2001, traders and farmer cooperatives will be able to trade and transport barley in bags and containers of up to 50 tonnes. Grower cooperatives have been given the opportunity for which they have lobbied, but the bill also provides small-scale traders with the chance of marketing barley overseas without a permit or licence from the Australian Barley Board. The restrictions that will be in place until 30 June 2001 will undermine the competitiveness of cooperatives and traders in large-scale and/or high-price export markets.

The opposition has played a part in pushing for a better barley industry through deregulation and the opening up of export opportunities for barley growers and cooperatives in overseas markets, particularly in China. There has been some interplay on the matter between the shadow minister for primary industry, the honourable member for Mildura in another place and our colleague Mr Bishop. That interplay has been reported in the *Sunraysia Daily*. I suspect that when the Honourable Barry Bishop has an opportunity to contribute to the debate he will touch on those points.

The opposition acknowledges that cereal and grain farming is an important part of agricultural activity. From a national perspective, of Australia's total landmass 17 million hectares is used for cereal crop production. Barley is a fast growing, hardy cereal and the second largest cereal crop grown in Australia in terms of production area and export value. Most honourable members know barley production is second only to wheat production.

Barley is grown in all states of Australia except the Northern Territory — across the bottom of Western Australia, through the southern part of South Australia, through the north-western corner of Victoria and into New South Wales and parts of Queensland. Australia's

barley production ranges from between 3.5 million tonnes per annum to as much as 6 million tonnes per annum.

As the Honourable Barry Bishop would know from his farming experience, and as I am sure the Honourable Ron Best would know as a representative of North Western Province, planting cannot proceed until the opening winter rains have fallen. In some years that can be as late as June. The crop is harvested between November and January, with hot, dry weather ensuring barley deliveries are low in moisture content, which means barley stores well after harvest.

Again from a national perspective, I point out that average barley yields range between 1.1 tonnes and almost 2 tonnes a hectare. Better producing barley farms can yield as much as 4 tonnes a hectare. The average Australian cereal-growing farm is said to consist of approximately 1000 hectares, of which 200 hectares would be planted annually to barley, with the remainder of the farm being used for other crops or for the grazing of sheep or cattle.

By international standards the barley industry in Australia is extremely efficient. As I am sure Mr Bishop knows from personal experience, the barley industry is highly mechanised, with large machinery being utilised for planting, harvesting, transport and storage.

Honourable members may be interested to know some of the uses to which barley is put. Malting barley — a product I have no personal association with —

Hon. R. A. Best — You are not a chardonnay socialist, are you?

Hon. PAT POWER — No, but some of the others are, I assure you. Malting barley is used in beers, whisky, cereal, breads and confectionery. Stockfeed barley includes whole barley, crushed barley, cracked barley, and barley mixed with other grains as in stockfeed pellets.

Barley has a number of other uses. Raw barley is available as pearl barley, which is used in soups, pastas and noodles. Barley bran is included in selected breakfast cereal products. For those of us anxious to quench our thirst in hot, dry weather after a long day in the paddock, lemon barley water is renowned as an efficient and safe way of quenching the thirst. Barley is also used in Carob, which is an artificial coffee product.

Malt and its extracts are used in breakfast cereals, breads, sweet biscuits, dry biscuits, confectionery such as the famous Maltesers we used to roll down the aisle

at the cinemas when we were younger, and drinks such as Ovaltine and Milo.

To give an understanding of the level of production in Victoria — after all, we are debating Victorian legislation — I will mention some figures from the Australian Bureau of Statistics regarding the number of hectares of barley sown and the number of tonnes produced. On the one hand, the figures highlight what an important sector of the economy barley production is; and on the other hand, they indicate what bad seasons can do to production figures.

In 1976–77 some 366 000 hectares were sown to barley, producing some 402 000 tonnes. As Mr Bishop and Mr Best would know, 1982–83 was the worst drought year in 100 years. I am sure honourable members will take up the opportunity to put on the public record their views on the enormous impact droughts can have, and I hope the non-farming public will understand the impact of droughts. In 1982–83 the number of hectares sown to barley dropped to 278 000 hectares and production dropped to 74 000 tonnes, remembering that in 1976–77 production was 402 000 tonnes. Outlays were not altered but income was altered in a major way.

To emphasise the enormous management problems dryland farmers face I point out that in 1983–84 — the next year — 403 000 hectares were sown to barley and production skyrocketed to 758 000 tonnes. People from the non-farming sector have difficulty understanding how circumstances from one season to the next can turn around so markedly.

Growth has continued. In 1991–92 almost 900 000 tonnes of barley was produced — a remarkable effort. That figure was exceeded in 1992–93, when the tonnage moved beyond the one million mark. In 1993–94 some 1.4 million tonnes were produced.

Again the spectre of drought reared its head in 1994–95, with a significant drought causing production tonnage to drop below 500 000 tonnes. Growth continued in 1995–96 and 1996–97, and I understand the Australian Bureau of Statistics predicts the 1998–99 crop will produce some 800 000 tonnes.

There has been significant interplay between the shadow minister for primary industry and Mr Bishop on the matter. Notwithstanding the view that the issue might have been better handled, the opposition believes the legislation is necessary and that the non-farming community must understand how important efficiency and marketing opportunities are to cereal farmers. The opposition does not oppose the bill.

Hon. B. W. BISHOP (North Western) — I congratulate Mr Power on his grasp of the industry. If I may say through you, Mr Acting President, it sounded a bit like a National Party speech, so I commend him. Mr Power gave a particularly good snapshot of the barley industry. He stated that growers are now preparing the land for the next crop. It is true that growers in some areas of the Mallee are anxiously awaiting rain. Certain areas of the Mallee received enormous amounts of rain during the last harvest, when Murphy's Law prevailed. No-one wants another couple of years like the past two the grain industry has experienced; it has put huge financial pressure on growers in those areas.

To add weight to what Mr Power said, the last couple of seasons have been what I would call a triple whammy for the grain-growing community because of the high agronomic costs in agriculture today, a hard finish to the season, very poor crops across most areas and the strong downturn in prices that is often caused by corruption in the international markets on which the Australian grain industries substantially rely. Honourable members should recognise the excellent management skills farmers have demonstrated as they battled through the past few years. The government is doing its best to assist, and the growers deserve the highest praise possible.

Mr Power was right when he said that 1982–83 was an extremely bad year. I remember vividly that the face of Victoria's grazing industry was changed by that year. It was so bad in Victoria that wheat had to be brought from Western Australia by ship to ensure that Victoria's sheep and cattle breeding stock survived. That had never been done previously. It required a substantial effort to reverse the normal process and have ships offload grain here; and it changed the operation of the grazing and dairying industries. Where previously those industries may have relied on hay supplements for feeding, when they started on grain and realised its energy value the face of the domestic Victorian grain market changed substantially — and it is still changing and growing. I felt moved to raise those issues because of the views expressed by Mr Power.

The bill is part of the excitement that has surrounded the changes that have taken place in the grain industry over the past few years. The changes are heading in the right direction, with the privatisation of the former Grain Elevators Board. The board is now owned by the grain industry and shared among Victorian growers, the Australian Barley Board and Graincorp, the New South Wales storage and handling body. It has been a successful privatisation. Growers now have shares in

their own organisation, elect their own directors and have charge of their own destiny in relation to storage and handling. Vicgrain has had a couple of good years and has paid off a lot of debt. It is now a powerful force in the grain industry. The moves are in the right direction and there is nothing more certain than that the changes will continue.

I could not help thinking that some people will be sad that an era of approximately 60 years of the existence of the Australian Barley Board will end. I found in my office a document that refers to 50 years of the board's operation, and people in the industry are now putting together — it is a great thing — a further history of the board.

The Australian Barley Board was constituted at a meeting of the board held in Melbourne in October 1939. I will refer to a few dates to provide a snapshot of changes that have taken place in the Australian barley industry, particularly in Victoria. The board made its first overseas sale in November 1939 when it sold 150 000 bags of barley to New Zealand. In May 1940 Japan came into the market as a barley purchaser. In 1942 the board was reconstituted when South Australia and Victoria joined. The economies of scale achieved through that union resulted in the board's operations during those next 60 years being a success story. In 1949 — it does not seem all that long ago — the last of the windjammers that carried barley, the *Pamir*, ceased operating.

In 1955 the Australian Barley Board shipped barley in bulk for the first time. In 1960–61 the two states received 1 million tonnes of barley. In April 1961 the first sale of malt barley was made to the People's Republic of China. It was a major breakthrough in world trade and was not as easily accepted then as it is today. In 1961 sales of malt barley were made to South America. In 1963–64 the first bulk barley was received in Victoria. The old system was really difficult. I remember that as a young farmer I had to use new bags for barley. The bags had to have 18 hand-sewn stitches per bag. I can assure honourable members that contract sewers earned their pay. Obviously the more barley you could get into a bag, the more value you got out of that bag, so eventually bag fillers were used.

Honourable members who are familiar with the industry will appreciate the truth of what Mr Power said about the mechanisation of Australia's agricultural industries, particularly the grain industry. We have a paddock near my son's house. My father used to say it took him a week to sow that paddock. Today we do it in about 3 hours. That will give honourable members some idea of the mechanisation in the industry.

In June 1971 there was another major breakthrough with the first sale of barley to the USSR. Although sales to that part of the world are accepted today, in the 1970s it was a difficult thing for some people to accept. It was certainly a historic event.

In 1977 came the first big sale to Saudi Arabia — obviously not of malting barley, Mr Power! Saudi Arabia became a very good market for the Australian Barley Board. In 1983–84, which was the year Mr Power referred to when talking about huge receivables, it bought 1 million tonnes of barley, which is a substantial amount for one country. It was an excellent feed market for Australia, and for Victoria in particular, given its large stock numbers and the lack of feed in Saudi Arabia. Anyone who has visited that country would be able to back me up.

The real history of the increased strength of the Australian barley and wheat boards began in the mid-1980s when the price war between the European Economic Community and the United States started to bite. That was when the power of the boards as collective bargainers for growers in Australia came to the fore. They showed their ability to manage supply and demand situations with great surety and to extract the best prices in the face of strong and corrupted competition from those countries — and from Canada at that time as well.

It is interesting to note that in 1986 the Australian Barley Board visited Washington to discuss with the Americans the dumping of subsidised barley on world markets, a practice that is continuing. When considering the 60-year history of the Australian Barley Board it is interesting to glance through its many publications to see how the changes have flowed during that period.

I suspect the Minister for Roads and Ports may know some of the people involved in the history of the board; I am sure my colleague Mr Best does. I thought about those people when I was preparing my speech. The barley industry has had some characters. I remember a great old fellow called Jack Helyar, from Rainbow, who served the industry particularly well from a grassroots perspective. Another fellow I am sure the Minister for Roads and Ports will remember is Norm Nalder from Meatian, who also served the industry well. Both were board members from Victoria. Norm was a no-nonsense performer and a tremendous farmer, and he certainly has been missed since his death some years ago.

It is sometimes hard to remember all the people who served on the barley board during that time, but another

who always stood out was Michael Cock from Balliang near Geelong. Michael was also a president of the grains group of the Victorian Farmers Federation. He was a gifted free thinker who was always looking ahead and keeping ahead of the game. Neil Simpson, from Berriwillock, is respected in the grain industry as a person with a balanced point of view who has made a huge contribution to agropolitics. He is as straight as a gun barrel and certain of where he stands, and he has enormous credibility.

Hon. R. A. Best — Fortright!

Hon. G. R. Craig — Did you say 'balance'?

Hon. B. W. BISHOP — Yes, he brought balance to the grain industry. He is a staunch defender of orderly marketing through a single desk, and is a student of agromarketing, particularly of grains.

A past member of the house, the Honourable Bernie Dunn, also served on the barley board. If my memory serves me correctly he was a member of the house for 20 years. His capacity to reflect the views of industry people would have been put to good use over that time.

One young man who served one term on the barley board was Ross Johns, from Warracknabeal. His was too short a time, but I suspect Ross would argue that there is plenty of time to come. He too is a clear, forward thinker, and he will do well in agropolitics in the future. Last but not least is a fellow I worked with for some time at the Australian Wheat Board by the name of Dr Tim Ryan, who has served two terms as a member of the Australian Barley Board. He has enormous experience in international trade and the futures industry. No doubt all those people have served the barley board well in their time — and a number of them are still there.

I know a number of South Australian directors whom I have not mentioned, but I will leave their credits to my South Australian parliamentary colleague.

Hon. G. R. Craig — Graham Ashman!

Hon. B. W. BISHOP — Yes, Graham Ashman. In trying to recall the Victorian managers, I remembered Jack Webb, who was manager in the early days; Michael Iwaniw, who is now general manager of the Australian Barley Board; Barry Marshall; and finally, Simon McNair, the current manager. In the old days John Tansell ran the board proper as general manager. They all played an important part in the barley industry, and I thank them for their efforts. I am sure all those who remain will continue to play their part as that important industry moves forward.

My comments on the bill relate mainly to the results of teamwork. The industry has developed as a result of great team effort. It has taken a long time and an awful lot of work to bring the bill to fruition. The Victorian Farmers Federation and the South Australian Farmers Federation, which represent most of the barley growers in their respective states, deserve most of the credit. They have worked with the industry, with their respective state governments and government departments, and with the malting industry, which is a big and strong value-adding industry in Victoria. Anyone who has been down to see the integrated malting system in the Vicgrain area at Geelong will know how important it is to Australia, particularly to Victoria.

The farmers federations have also had discussions with the feed industry. As I have already said, the 1982 drought changed the face of the feed industry in Victoria forever, and it is still evolving. The dairy industry is now a huge user of domestic grain in the form of feed barley. Research processes have raised the feed quality of barley, enabling it to grow well in areas in which diseases are found. The grain industry has moved a long way forward in research, capacity, supply and demand.

I should also congratulate the two responsible ministers on their contribution to the industry — Pat McNamara, the Minister for Agriculture and Resources and Deputy Premier, and Rob Kerin, the responsible minister in South Australia. They have had a difficult task sorting things out between the two states. They have worked with all sectors of the industry as part of a planned and measured approach to privatising the Australian Barley Board.

I will put on the public record a description of the processes that were followed in making the proposed changes. There is no doubt that the changes were driven by the national competition policy review. The findings of the review indicated that the Australian Barley Board was capable of marketing and managing its stocks to extract a small premium on the domestic market, adding a small net cost to the community. On that basis, the consultants recommended to the government that the domestic markets for feed and malting barley be fully deregulated — feed barley has, as a natural occurrence, been informally deregulated for many years — and that the Australian Barley Board retain a single desk for export for the shortest practical time.

The Victorian government then consulted extensively with the grain industry, and the South Australian government did the same thing. In March 1998 the initial government responses were announced and

clarified at the grains conferences of the Victorian Farmers Federation and the South Australian Farmers Federation. Both governments gave the industry the signal that it was time to get on with reform. Two key objectives came out of the consultation process. The first was to achieve a fully commercial approach to barley marketing through the establishment of a grower-owned — that is important — commercial entity to take over the marketing responsibilities that had been handled for 60 years by the Australian Barley Board. The second, and I think the most important, was to protect the current value of the Australian Barley Board by providing an adequate and appropriate period for the transition to a fully deregulated market.

A committee was established, fittingly called the Australian Barley Board Restructure Committee. It was chaired by Ron Hards, from Meringur in the far north west of Victoria, who was not then but is now the president of the VFF grains group. The committee comprised representatives of the VFF, the South Australia Farmers Federation, the Australian Barley Board, the Victorian Department of Natural Resources and Environment and the South Australian Department of Primary Industry and Resources. It was established to step through the restructure process, which was fairly rapid given that it had less than 12 months to achieve its task. During that time the committee met formally on more than 10 occasions with its consultants, Bankers Trust Investment Bank and Mallesons Stephen Jaques. It had top consultants on the job as well.

The key principles the grower organisations proposed for the ABB successor were well thought out and researched. The first was grower control and loyalty. I have spoken before about the success of Vicgrain, which managed to obtain grower control and engender loyalty as well.

Another issue was the retention of the single export desk. An adequate capital base is important when moving to privatisation. One cannot afford to put the whole business at risk because of an inadequate capital base. There will be a strong commercial entity, access to competitive finance and full value for the growers' invested funds.

Those principles have been addressed in the structure of the ABB's successor companies in the bill. The following is technical but should go on the record because of the work the Victorian and South Australia departments and farming organisations did. Two incorporated companies form the new organisation: ABB Grain Ltd, which will receive most of the assets and liabilities of the old board; and ABB Grain Export Ltd, which is charged with the responsibility for the

export market and will receive the assets and liabilities associated with the current pools and will be granted statutory marketing powers.

ABB Grain Ltd will be an incorporated company based on the dual share class model, which is well known to Australian farmers. The current growers will be A-class shareholders and they will elect the majority of the board. The capital value of the company will be represented by B-class shares, which will be distributed to persons according to their contribution to the general reserves of the ABB.

ABB Grain Export Ltd will be wholly owned by ABB Grain Ltd and will be required by its constitution to maximise export returns to growers.

To ensure continuity of operations, three of the new board members of ABB Grain Ltd will be appointed for one year only by the current ABB board from the existing board members. There will be a continuation of expertise. After the first year all five directors will be elected by A-class shareholders and both directors elected by B-class shareholders will have been elected by shareholders.

The process was difficult and complicated. It involved taxation and many other issues that the committee worked through and made good findings. One of the main objectives was to achieve a fully commercial approach to marketing through the early establishment of a grower-owned commercial entity to take over the marketing responsibilities of the ABB and the transition process.

The transition process was essential because it had to develop and deliver business strategies and establish a new track record with suppliers and customers as a reliable market. That is important because the international grain market is long term. It is not in and out from one year to the next. The ABB has a great history. The new organisation admittedly will be cloaked in the old traditions of the old ABB so far as credibility and reliability are concerned. However, it will need to get to know its customers and form the appropriate boards and structures for the organisations to make decisions on a sound capital base, including possible joint ventures about which I shall speak later. That is the exciting part about agriculture today.

The bill reveals a measured plan that should be the thread that runs through the contributions today. It is a tough industry not just on growers, which Mr Power and I mentioned earlier. The industry also has a demanding market both domestically and internationally, but especially internationally.

Australia's marketing boards — the ABB is a good example — have carved out and retained a market share with good prices in a heavily subsidised world market.

Feed barley was fully deregulated last season. It was partly deregulated by the sheer operations of the industry for a number of years, but it is now fully deregulated. Malting barley will be fully deregulated this season and there will be an expansion in the contract systems as maltsters and growers match themselves with commercial requirements. That already occurs, but it will grow under the new system and over time the approach will be measured. It is time for industry sectors to adjust.

It is a complex mix. The system intends to have the export market also heading for further deregulation in another couple of seasons. During that period other organisations and cooperatives will be able to develop niche markets for small quantities of barley. In time future strategies and policies in grain will be developed when further flexibility allows. That can be managed easily.

The new board may look for joint ventures, and cooperatives would be ideal partners. It is a more sensible way than dropping the lid on the export market immediately and exposing cooperatives to enormous risks. It is preferable to allow a measured amount of time and arrange joint ventures with value-added processes. Cooperatives require protection in an open-slathe export market, otherwise through no fault of their own they could be exposed to sudden death in the marketplace. My experience gives me the right to say that no prisoners are taken in international markets.

It would be remiss of me if I did not mention the antics that took place in the other place during debate on the bill. I thought it was sad but it must be put on the record. I recollect that I was called a goose by a member in the other place. I believe it may have been somebody by the name of Brumby. If I am a goose then I am still on top of the water swimming. I believe the member in the other place may be sinking. It is unfortunate that such an incident occurred.

While I and the government welcome the support in the other place from the Brumby-Savage team for the Victorian and South Australian governments bills, their claim that they influenced the process during that time is the joke of the century. In essence, their knee-jerk reaction last year would have seen the immediate abolition of the single desk. Our cooperatives and new organisations would have been exposed to enormous risk and been put at great disadvantage in a tough and

corrupted export market without that two-year transitional period. It would have put at risk about \$36 million of growers' money, \$12 million of which was Victorian growers' money. That is inexcusable. That is the capital base that will need to grow to ensure that the new company will set itself up and operate well into the future.

Before the bill was introduced last year the industry and the government agreed that the cooperatives would have the opportunity to export barley into niche markets but with the protection that they would not be mown down in that difficult export market.

Perhaps I should be more charitable; perhaps I should accept the fact that the Brumby-Savage tag team did not know much about the grain industry operations. It is clear that unless headlines can be generated, those honourable members lack interest in a subject. Were they at the VFF annual grains conference this year, held only a few weeks ago? Have they ever attended a grains conference? I have been to many conferences but have not seen them there, although I may not have noticed them.

The Brumby-Savage team accused the National Party of playing a leading role in the drafting of the legislation. I am proud to say that that is true. At the grains conference a few weeks ago the National Party was represented by its leader, the Minister for Agriculture and Resources in the other place; Mr Baxter; the honourable members for Swan Hill and Murray Valley in the other place, and me. In short, the Brumby-Savage team is nothing but a couple of commentators who should be recognised as being able to achieve little. However, it is unfortunate that only a few weeks ago they brought disrepute to the other house with their comments on the barley industry.

I admit that the pace of change in the industry is rapid. It is rather exciting stuff. I see huge opportunities for the grain industry. It would be remiss of me, — I am sure a number of people would be disappointed if I acted otherwise, — not to comment on the single-desk strategy. I note the national competition policy review said that at certain times the Australian Barley Board was able to manage its stocks — I suspect that was the mechanism it was examining — to raise the domestic prices slightly above what they should have been. Because of my background I struggle to completely agree with the statement generated by concerns about the regulating marketing powers, but I shall make a couple of observations.

Although it is a small part of the total grain industry, the barley industry in South Australia and Victoria is not

regarded as small cheese with its capacity in the export market. As Mr Power said, it is difficult to estimate averages as the years come and go, but South Australia and Victoria generate about 3 million tonnes of barley a year, with South Australia growing about twice as much as Victoria. They generally grow more feed barley than malting barley. Victoria is predominantly positioned with its grain types to grow malting barley. Victoria has a top agronomic environment for malting barley.

Mr Power said that the ABB supplies half of the approximately 3 million tonnes annual world market for malt barley, which is a substantial achievement when one considers the challenges in the market. That has occurred because it reflects the capacity of organised export marketing to control quality. Every tonne of barley that enters the system is tested, qualified and noted. The board knows exactly where each tonne goes — after it goes over the belts, into the vessels and into the markets. It is segregated upon delivery in accordance with stringent standards that have stood the ABB in good stead for about 60 years.

About 250 000 tonnes of export malt is an example of real value adding. It leaves our shores through malt houses, which is a good integrated industry with its high-tech, well-researched barley varieties. That attribute will improve as time passes. I make the point about the power of the single-desk policy in protecting an industry in tough times.

Given the fact that the domestic feed situation was fully deregulated last year and is removed from question in relation to transparency issues, all domestic markets will be fully deregulated this season with the new Australian Barley Board in place. The board can engage in joint ventures wherever it likes. The new board will have full transparency. It will have two systems — one for domestic and one for export supply. The second-reading speech states:

ABB Grain Export Ltd, with statutory marketing powers, will operate the export pools;

ABB Grain Ltd will conduct domestic trading and other functions.

They are totally transparent and separate. Given the rules which create the transparency that many of the consultants wish to have in the process and the fact that the Australian Wheat Board has no sunset on its strong export marketing single-desk powers and has put arrangements into place, as the house is doing today, to allow the ABB to do whatever it needs to do — it can conduct joint ventures with anybody — I look forward to the consultative process when the marketing export

power is intended to cease in June 2001. The ministers need to consult with the industry to see how the transitional process should proceed. That will be an interesting time and the process will be closely observed by the industry.

Now is the best time for representatives of the Australian barley industry, or even the total grain industry, to get together. For about 25 years I have observed the push in the barley industry to take a national approach; we have argued about it for that time. However, a push for a single national barley marketing organisation — call it what you will; it used to be the Australian Grains Corporation — provides a good opportunity for the industry. Western Australia is distant from the eastern states; it has a good organisation of grain pools with strong accompanying powers. It may be difficult to bring that state into the loop, but there is no reason why the eastern states should not form a single entity for marketing export barley. The economies of scale in Queensland and New South Wales, with the South Australian–Victorian situation, would provide a powerful supply and marketing organisation. Because domestic markets will be deregulated, such an organisation would have strong credentials to bid for an orderly single-desk marketing system outside Australia.

At the grains conference people talked about the power the single-desk policy has created in Australia against the huge subsidies in the international market. Victoria can rest on its laurels. There are no rules in international barley marketing. The Americans want our marketing systems removed, but why? Obviously because it would give their subsidised growers more opportunity to compete against our non-subsidised growers. It would not give us the same chance to stand on the edge of the elusive level playing field and try to level it to our advantage. I will not delve further into the history of the industry.

From my experience over many years I believe the single-desk strategy has advantages. I can see even more advantages, given a couple of years to prove its worth, in having domestic and export rules generate transparency in the system to achieve national cooperation. It is most important to closely examine and utilise joint ventures that are now available in the industry.

All organisations in the grain industry should work together to this end. Australians believe their competitors are their next-door neighbours, perhaps other states, but the competitors in the grain industry are the Europeans, Americans, Canadians and Argentinians who distort the world market with

politically driven subsidies which, in those countries, are often swallowed up by high land and service costs and the ever-present fear that their subsidy props may be removed. If that happened where would they go?

In this bill I see not challenges but opportunities for organisations to get together. I ask honourable members to imagine the power of Vicgrain as an organisation after a couple of years if it joined with other grain boards or with the New South Wales and South Australian bulk grain handling organisations. Vicgrain has done well, and I congratulate Alan McCallum, chairperson of the board, and the managing director, Graeme Watsford, who have done an excellent job.

The other player in the field is the newly privatised Australian Wheat Board. Perhaps in some joint venture the Australian Barley Board will become a part of the new board or part of the Australian Grain Corporation. Perhaps the export arm of the Australian Barley Board should join with the wheat board and the export team. Perhaps the domestic marketing side should join with the bulk-handling organisations to assist with the acquisition of storage, handling and delivery facilities at a local level. Pivot is a cooperative that is going well under the chairmanship of John Watson. Perhaps the new freight owners, Freight Victoria, could also be part of the loop, if honourable members will excuse the pun.

Great opportunities exist to reduce costs and create more certainty in the marketplace, to the benefit of growers, end users and everyone in the system. Although those opportunities exist, understandably there is some confusion among grower communities as a result of the speed of change, and a number of questions were raised at the VFF grains conference that was held a few weeks ago. Should the Australian Wheat Board enter the storage and handling market? Should it do that at Dimboola or should it let Vicgrain do it? They are difficult questions because both organisations are funded by the same growers.

My solution is simple and straightforward. The growers representatives on the boards are elected by the growers — in the same way that members of Parliament are elected by their constituents — so that they will be accountable. I urge all directors of grain companies to keep an eye out for the future and maintain a clear overview of the industry for the next 20 years instead of concentrating only on their organisation's patch, thrust for power or market share.

I commend the bill to the house. I request that my comments on revaluation and cooperation in the grain industry — particularly in joint ventures, where I believe there are great opportunities — be noted and

addressed as a vision of a viable and powerful grain industry in the future.

Hon. S. M. NGUYEN (Melbourne West) — I am delighted to make a contribution on the Barley (Marketing Amendment) Bill, which the opposition does not oppose. The opposition welcomes the government's amendments to the Barley Marketing Act because they will provide greater flexibility in export marketing arrangements and greater opportunities for rural farmers and the grower-owned grain cooperatives.

Nearly a year ago an amendment to change the rules was moved in the other house by the former Leader of the Opposition, John Brumby. The amendment was knocked out in a disgraceful manner by the government as a result of its having the numbers in both houses. At that time the government did not allow sufficient time for debate on the bill in the other place because it was ashamed of it. Almost 12 months ago the government refused to support the bill but now wants to go ahead with it and present it to the people of country Victoria as a new initiative. The community will realise that the minister's actions on the bill have meant the government is a year behind in giving farmers the opportunity of arranging their own exports to other countries.

Clause 1 of the bill provides for the deregulation of the domestic market for barley and the opening up of barley export markets that have been established under national competition policy arrangements. The Australian Barley Board (ABB) will be dissolved. The bill will encourage barley growers to market to the world. Australia accounts for 50 per cent of world malt exports and approximately 22 per cent of world barley exports. The introduction of this legislation to assist rural people is a big step forward.

The key aim of the bill is to establish a fully commercial approach to marketing through the establishment of a grower-owned commercial entity to take over the responsibilities of the existing Australian Barley Board. The time lines outlined in the bill are intended to provide a period of transition for the new market to be fully deregulated. Clause 4 of the bill provides for the establishment of two new companies: ABB Grain Ltd, which will receive the non-grain assets and liabilities of the ABB, and ABB Grain Export Ltd, which will receive the grain pools and marketing powers of the ABB.

Clause 8(2) inserts proposed new subsections (4) and (5) in section 33 of the principal act. Proposed new subsection (4) provides that a person, other than ABB Grain Export Ltd, must not buy barley from another

person, except for consumption in Australia. That will stop the manipulation of the domestic market.

The opposition has three main concerns about the current legislative arrangements. Firstly, the domestic regulation is unworkable and cannot be policed. Secondly, the existing timetable for deregulation is too long. Thirdly, greater flexibility in export regulations is required to provide cooperatives with the opportunity to open up niche markets.

Proposed new subsection (5) permits the export of grain by a person other than ABB Grain Export Ltd where the grain is exported in a bag or in a container with a capacity of no more than 50 tonnes.

I turn to the opposition's third issue of concern — the need for greater flexibility in the regulations to provide cooperatives with more export opportunities. The bill states that for two years, between 1 July 1999 and 30 June 2001, traders and farmers will be allowed to trade up to 50 tonnes. It also states that bulk transporting in hulls or part hulls is not permitted. The bill provides grower cooperatives with an opportunity for which they have lobbied for years. The opposition is delighted to see cooperatives being given a greater chance of exporting barley to overseas markets. It will create more opportunities for small-scale traders who do not have a permit or licence issued by the ABB.

The opposition has played a key role in driving a better barley industry by encouraging deregulation and the opening up of export opportunities so that growers and cooperatives can sell Australian products on overseas markets. I understand there is a growing market for beer in Asia, including in China, Vietnam and Indonesia. Australia has to compete with other overseas countries for that market. The bill will provide the opportunity for Australia to export its goods to those countries that currently demand Australian beers and wines. It will provide our primary industries, including the barley industry, with the opportunity of expanding their overseas business for which there is currently a market. I support the bill.

Hon. R. A. BEST (North Western) — It gives me great pleasure to support the Barley Marketing (Amendment) Bill and welcome the support of members of the opposition for the measure. In their contributions Mr Power and Mr Bishop gave some background to the reasons for introducing the bill and outlined the importance of the barley industry as a producer of grain. Barley is important to many of my constituents, who rely on it for their income.

I take offence at some of Mr Nguyen's comments. He said the amendment proposed by the opposition 12 months ago should have been accepted. That demonstrates a fundamental lack of understanding of how vulnerable the industry would have been if it had been deregulated 12 months ago. The bill is the result of the hard work done during the transitional period by a committee headed by Ron Hards. The committee tackled and resolved the issues that existed among growers and between two states — that is, Victoria and South Australia — to position the industry so that from 1 July it can proceed with its reform process, as has happened with the Australian Wheat Board.

The move to total deregulation is consistent with what is happening in other sectors. Given the success of the wheat industry's single-desk operation and the direction in which the dairy industry was moving, it was obviously important that the barley industry undertook a review of its operations. As I said, it was important not to rush into reforms for which the industry was not ready. During the transitional period, the assets of the growers had to be protected.

As the fourth speaker in a debate in which everyone is supporting the proposed legislation, I am left with little to say but to congratulate the participants who have been driving the reforms in the industry. The process has not been easy. Many difficult challenges had to be faced by growers across two states and by other competitors in the industry. One of the first people who should be congratulated is Ron Hards, a farmer from Meringur in my electorate, who chaired the restructure committee. His positioning of the industry to enable it to go forward is a credit to him and his ability to operate across all sections of the grain industry. I congratulate Ron Hards on the job that he and his committee have done.

It is also important to congratulate the Victorian Farmers Federation because it has embraced the culture of reform and deregulation. As other speakers said, Australia and the world are becoming smaller places. We must be strong to be able to trade. We are faced with competition from corrupt markets and subsidisation by our trading competitors. Although our farmers are innovative and cost efficient in producing their products, we need to have strength in our marketing and selling to maximise the returns for our producers. The VFF has been at the forefront of the drive for deregulation while addressing the concerns of the various sectors.

I also congratulate and thank the existing members of the Australian Barley Board, who have not only protected the assets built up by the growers and

shareholders in the organisation but also acted responsibly during the transitional period.

It is important to put on the record the work done by my parliamentary colleague and fellow member for North Western Province, the Honourable Barry Bishop. He has had 10 years experience as a member of the Australian Wheat Board and 2 or 3 years as a member of the Grains Elevator Board. I do not think anyone is more knowledgeable about grain handling and related issues than Mr Bishop. I congratulate him on the work he has done in facilitating the way forward for the industry. Some members opposite claimed that this is a National Party bill. Although it is not, a range of people across various sectors of the industry have done a lot of hard work, and they need to be congratulated.

Members of our farming community, particularly the barley and grain producers, face a difficult set of circumstances. They rely heavily on seasonal rainfalls. While the cost of production continues to increase, the necessary returns are not always there, which is one of the most difficult situations farmers in grain-producing areas can face. More and more farmers are losing equity in their farms as they continue to put in their crops, relying on rainfall and good seasons for their returns. Farming is not what it once was, so it is important that the industry position itself to maximise returns to farmers.

I put on the record my support for the re-positioning of the industry. One of the things the industry needs to consider is how all grains are sold and how a single-desk operation can assist the farming community to maximise its returns. Australia relies heavily on its grain products for export income. That is one of the areas we need to be conscious of, given the existence of corrupt world markets.

Our farming communities face many challenges, so things will not be easy. The challenges the barley board and the various other players in the industry have accepted will in turn lead to opportunities for cooperatives, partnerships and other working relationships to maximise the returns that are so important to our farming community. I have much pleasure in supporting the bill.

Hon. C. A. STRONG (Higinbotham) — It gives me much pleasure to support the Barley Marketing (Amendment) Bill. I have followed with interest the full and considered analysis of the issues provided by previous speakers on the government side, including the real problems faced in taking this significant agricultural industry through the transitional phase from regulation to deregulation. The house heard a full and

detailed explanation from Mr Bishop, who has a great deal of experience and personal knowledge of the area, about the significant problems and risks in the process.

The bill envisages the deregulation of the domestic barley market from the middle of this year and the deregulation of the international market from 30 June 2001.

It has been adequately explained that there are certain risks in the process and that it is a difficult transition. Australia and Victoria have always been and probably will continue to be major exporters of agricultural commodities. From the time of the founding of Australia its economy has been significantly based on agricultural commodities and their export. Therefore it is enormously important to the economy of the nation and the state that those commodities are exported and find a market in the world.

Other speakers have pointed out that Australia is one of the lowest cost and most efficient producers of commodities in the world. That is why for many years Australia has taken a leading role in trying to break down protectionist trade barriers in the agriculture market. The Cairns Group was an initiative of Australia to break down protectionist impediments to trade through the European communities' agriculture policy and through various agricultural enhancement schemes of the United States of America. It is important to Australia as a small nation that cannot realistically expect to match the subsidy schemes of bigger nations. It is the key to continued success in this enormously important part of the economy that the international market be deregulated. Only by effectively deregulating the international market and freeing it up can Australia expect its competitive products to succeed in the marketplace.

The bill is tremendously important, as it shows a commitment to deregulating the agriculture industry. It shows Australia is prepared to make the first important step in the process and is not simply in the business of saying that others should deregulate. The changes to the legislation are not without risk, as has been explained, but I earnestly believe the risk of doing nothing is even greater. Unless there is real deregulation of the international market we will be the losers. This important bill leads the way, setting Australia and Victoria on a course that will be very important to the protection of one of our major export products. Agricultural export will continue to be a major part of the economy for many years to come. I have much pleasure in supporting the bill.

Motion agreed to.

Read second time.

Third reading

Hon. LOUISE ASHER (Minister for Small Business) — By leave, I move:

That this bill be now read a third time.

I thank the Honourables Pat Power, Barry Bishop, Sang Nguyen and Ron Best for their contributions to the debate.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

ENVIRONMENT PROTECTION (AMENDMENT) BILL

Second reading

Debate resumed from 13 April; motion of Hon. M A. BIRRELL (Minister for Industry, Science and Technology).

Hon. PAT POWER (Jika Jika) — The Environment Protection (Amendment) Bill is significant legislation to which the opposition has given consideration and about which it has consulted widely. At an appropriate time I will move a reasoned amendment to highlight an opposition concern. Assuming that voting follows its predictable pattern, the opposition will not oppose the second reading of the bill.

The main purpose of the bill is as follows:

... to amend the Environment Protection Act 1970 to make further provision for industry waste reduction agreements, State environment protection policy and the transport of waste and to impose further landfill levies.

The two aspects of the bill I want to concentrate on are highlighted by clause 6, headed 'Landfill levy', which states:

After section 50S(2) of the Environment Protection Act 1970 insert —

“(2A) The holder of a licence in respect of premises licensed to be used for the discharge or deposit to land of wastes that are prescribed industrial waste must pay to the Authority a landfill levy of \$10 for each tonne of that waste that is deposited on to land at the premises.”.

The opposition feels most strongly about clause 10, headed 'New sections 50XD and 50XE inserted', which provides, in part:

After section 50XC of the *Environment Protection Act 1970* insert —

"50XD. Temporary levy

- (1) The holder of a licence in respect of prescribed schedule two premises that are situated in a municipal district listed in Schedule C must pay to the Authority an additional landfill levy of \$1 for each tonne of waste that is deposited on to land at the premises during the period commencing on 1 July 1999 and ending on 30 June 2002.

I make particular reference to proposed section 50XE, headed 'Payment of levy into Environment Protection Fund', which provides:

- (1) Despite sections 52A and 52B, the Authority must ensure that all money received by it or on its behalf under section 50XD is paid into the Environment Protection Fund established under section 70 ...
- (3) Money paid into the Environment Protection Fund ... is to be applied by the Authority in the manner authorised by the Minister and for such purposes as are authorised by the Minister that relate to the collection of and reprocessing of recyclable materials."

I will concentrate my comments on the sections I have highlighted. The legislation affects the household recycling system and provides for what is described as a temporary levy so that during the prescribed three years the landfill levy in Melbourne, Mornington, Geelong, Bendigo and Ballarat, which is now up to \$4 per tonne, can be increased by \$1 per tonne. It alters the state environment protection policy to allow for reuse and recycling and provides for the national environment protection measures to be adopted as part of the state environment protection policy.

The bill also changes the permit system for the transport of hazardous waste and introduces a new prescribed waste levy of \$10 per tonne to commence from 1 July. The money will be used to fund cleaner production and waste management programs.

The bill covers both municipal and prescribed waste areas — in other words the rubbish we produce — and the major issue of hazardous waste. The opposition is concerned that kerbside paper recycling is close to the point of collapse. From a local government perspective especially, the cost of kerbside collection has reached crisis point. For example, collection costs in the Whitehorse municipality have rocketed with a 97 per cent increase in two years, and that increase continues each month. The volatility of the recycling market has resulted in an increase in recycling costs for each

household in Whitehorse from \$9.90 to \$19.40 per annum. Contractors are going broke and people are outraged to learn that the materials that should be recycled are actually ending up in landfill.

The minister's response to spiralling costs and the crisis in kerbside recycling is unsatisfactory — that is, he announced a local government grant of an extra \$1 million. That significant amount should be acknowledged, but one must also acknowledge that the estimates from local government — that is, democratically elected councils — show a \$24 million gap between collection costs and what is paid for the goods collected. I agree that \$1 million is a significant amount of money for any minister to make available, but it is a token contribution only when the gap is \$24 million. It is an unsatisfactory response to the kerbside recycling crisis.

In 1998 the minister asked the honourable member for Prahran in the other place to conduct a special review of recycling and advised the community that a report would be available in March 1998. However, that report has not yet been sighted. The minister's response is less than satisfactory to a major issue — that is, a grant of \$1 million to cover a \$24 million shortfall and the authorisation of a special review of recycling with a commitment that the report would be available in March 1998. It is now nearly the end of April 1999; the report has not yet been made available and the shortfall has not been addressed. The opposition argues that the \$1 per tonne increase in the levy will not solve the problem but will impose significant costs on municipalities. Each council affected by the levy will be required to find an extra \$40 000 per annum.

The other aspect concerning the opposition is that the levy will result in municipalities increasing their payouts for recycling, and not only will they not receive the funds but, as the bill clearly indicates, they will have no control over the way the money will be spent. The opposition argues that the \$1 per tonne levy will cost councils an additional \$4.5 million. I am not aware that the government has contested that figure and if the government believes that figure is not accurate I would be interested to hear what it believes the correct figure to be.

Putting aside whether the government believes the changes to local government are appropriate and successful, it must be acknowledged that since the program was radically changed the funding capacity of municipalities has been eroded to the point where many municipalities have no option but to implement a range of regressive local charges in an attempt to build up a funding base to enable them to address the challenges

their communities expect of them. Many municipalities have been forced to explore whether street car parking can be used as a mechanism of raising some funds. In that climate it is unfortunate that the government is asking local councils to find an extra \$4.5 million in circumstances where they will have no direct control and no guarantee of influence over how those funds might be spent.

At the same time the opposition acknowledges that the prescribed levy of \$10 for hazardous waste is a step in the right direction. It is important that when the government does something that the opposition agrees with, it takes the opportunity to put that on the record. The opposition accepts that the hazardous waste aspect must be addressed and that the \$10 levy is a correct move, but it wonders whether strategies other than the levy need to be put in place if the problem of hazardous waste is to be satisfactorily addressed.

I am sure government members will understand if while speaking about the issue of hazardous waste I refer also to the Niddrie quarry. Most Victorians were relieved and felt that it was an appropriate outcome when it was decided not to proceed with the proposed toxic waste dump in Werribee. I am sure that all Victorians, from different positions, understood that there was a significant level of alarm in Werribee and the surrounding district about the proposed dump, although there may have been varying views about how legitimate it was. All Victorians agreed it was appropriate for the proposed dump plan to be abandoned.

The situation in Niddrie is different. It is clear that there is still a threat that the former quarry could end up as a hazardous waste dump. As that issue bubbles along — that is probably not a good use of words — as the threat continues, especially in what is almost certain to be an election year, I believe community issues like these will develop significantly, not just in Niddrie. There will be significant debate, dialogue and concern about the government proposing or anticipating or allowing a quarry such as Niddrie to become a hazardous waste dump site.

The honourable member for Niddrie and the shadow minister in another place have clearly outlined the concerns about the Niddrie quarry proposal in relation not just to whether it is an appropriate site for a waste dump but the heavy traffic density that would be generated. I understand that the developer, the proponent of the waste dump, acknowledges that there would be some 200 truck movements each day if the waste dump were to be economically feasible. I was interested to note that the honourable member for

Niddrie calculated that an 11-year-old child who lived in the vicinity of the Niddrie quarry site until his or her 21st birthday would experience heavy trucks going past the house every 24 seconds. It is a mind-boggling scenario. If we accept the assurance by the developer that 200 truck movements each day would be necessary to service the waste dump to make it economically viable, we realise that will be a problem.

The Moonee Valley City Council has taken a community-driven approach to the former quarry site. It has argued that there must be a more sustainable and environmentally friendly project that would allow the Niddrie quarry site to be used in a sustainable way. Certain due processes are under way in the application for a waste dump at Niddrie, and they must be allowed to roll out. From different positions honourable members have all been interested in them and their consequences.

The Spring Gully reserve is an important parcel of land in relation to the Niddrie quarry proposal because the project can go ahead only if the reserve becomes an access point for the quarry. I will comment later on how important the Spring Gully reserve is to the area and how much work the local community has done to build it up.

Before October 1992 there was a much better partnership between local and state government concerning conservation strategies, recycling and waste management. I am sure none of us would argue that the circumstances that existed then were perfect and did not need to be significantly improved. However, the contrast between the periods before and since 1992 is that the notion of partnership, dialogue, and working things out in a more even-handed way no longer applies, and the \$1-per-tonne levy is an example of that. The state government is proposing legislation that will require municipalities, not through any initiative of their own, to compulsorily pay \$4.5 million. That means the municipalities will have no direct say or guaranteed influence over the way the funds will be spent. That is evidence that the partnership that existed between state and local government prior to 1992 no longer exists.

The land local councils need for landfill has decreased by 20 per cent, which is a significant achievement. Municipalities deserve credit for working with the state government — prior to and after the amalgamations — to educate members of the public on ways of reducing the amount of waste going to landfill through their participation in household recycling projects. All honourable members will have seen not just the green

wheelie bins on the nature strip but also the other containers designed for various recyclable items.

Although it is important to acknowledge that together local councils and Victorian households have achieved a significant 23 per cent reduction in the amount of land used for landfill, it must be understood that there has been a 10 per cent increase in the land required for building and commercial waste. That amount of landfill is unsustainable. It is not good enough, and it highlights the need for the building and commercial sectors to accept their recycling responsibilities. It is also clear that more effort needs to be put into developing strategies to recycle building and commercial waste and to achieve reductions in landfill levels comparable to those achieved by households.

Until now the focus has been on providing incentives to encourage households to get their act together, but something must now be done to encourage other creators of waste to do the same. Therefore, I move:

That all the words after 'That' be omitted with the view of inserting in place thereof 'this house refuses to read this bill a second time until the government has provided a guarantee that local municipalities contributing to the landfill disposal levy are returned \$1 per tonne, as a cash grant, to directly assist with their recycling costs, and abandons all plans for new toxic waste landfills'.

The DEPUTY PRESIDENT — Order! The Chair has had the opportunity to read the reasoned amendment, and it is in order. I now invite speakers to speak on the bill and the reasoned amendment.

Hon. PAT POWER — The reasoned amendment highlights the opposition's concerns about the bill. Opposition members will not oppose the second reading, but by dividing on the reasoned amendment we want to demonstrate our concern about the injustice of the \$1 levy and the need for the government to announce, as has occurred in Werribee, that any plans for a new toxic waste dump at Niddrie will be abandoned. I now turn to that issue.

The City of Mooney Valley wrote to the Leader of the Opposition and me, as the shadow minister for local government, on 1 February, and I quote from the letter:

Council writes to you with reference to the status of Spring Gully Reserve in Niddrie, which forms a natural gateway to the Niddrie Lake and which is under threat as a result of the proposed toxic waste dump by Quadry Industries.

Over a period of several decades, local residents have transformed this reserve from wasteland to a magnificently landscaped parkland, heavily treed with native species and enjoyed by everyone in the area.

In 1997, the state government —

this state government —

formally gazetted Spring Gully Reserve as public open space, signalling the end of the era of inappropriate land use and pointing to its future life as an area characterised by an environmentally sound mix of new housing and parkland.

For the toxic dump proposal to proceed, a road would be built through the park, complete with fences and sound barriers, carrying some 200 trucks per day for approximately 10 years and possibly many years beyond — totally inappropriate for a residential area containing seven schools within a 1-kilometre radius of the proposed dump.

This land is ... owned by ... the Mooney Valley community. It was transferred to the council 27 years ago to manage in cooperation with the community as a public open space resulting from a housing subdivision.

For the waste dump to proceed, the government must compulsorily acquire this land from the council and the community on behalf of the developer.

In February, the Leader of the Opposition and I, as the shadow minister for local government, responded to the Mooney Valley City Council as follows:

The state opposition is keen to work with local government in improving the amenity of local parks and gardens. Labor has been outspoken in its criticism of the Kennett government approach to toxic waste management and will continue to do so, particularly in instances where proposed dumps will affect areas of natural beauty.

... the state opposition will join with you in opposing any moves to compulsorily acquire the Spring Gully Reserve.

I asked the Mooney Valley council to provide some recent advice about the status of the proposed dump at the Niddrie quarry. As I said, due process is being followed, and honourable members must ensure that that process is allowed to run its course.

In material it provided to me dated 20 April, the Mooney Valley council stated:

Quadry Industries is the owner of some 47 hectares of land known as the former Niddrie quarry site, situated near the Calder Highway in Niddrie ...

In 1996, Quadry Industries applied for a planning permit from council to fill the site with low-level contaminated fill.

In October 1996, council refused to grant the planning permit ...

In December 1996, the Environment Protection Authority also refused the necessary works approval.

The background is clear: local government played its role as an important elected tier of government, and the Environment Protection Authority met its responsibilities and declined to approve the project. As we know, things have worsened since then. In November 1996, the Minister for Planning and Local

Government called in the appeal — something that occurs more often than it should.

In February 1997 the Minister for Conservation and Land Management asked the Minister for Planning and Local Government to direct the then AAT to refer the works appeal to the Governor in Council for determination. One must not misunderstand what that means. The government decided it would interfere by overriding the decision of due process made by local government.

In early 1997 the Minister for Planning and Local Government appointed an advisory committee to consider the proposal. In April 1998 the Governor in Council, on the recommendation of the Minister for Planning and Local Government, determined that a planning permit and works approval should be issued, including the development and use of an access road within the Spring Gully Reserve.

In 1997 the government said the Spring Gully Reserve was unequivocally public land. In April the following year it said the public land can be invaded and used as an access route to a proposed toxic waste dump.

We know that in March of this year Justice Balmford handed down her decision about the matter. The Niddrie issue is still a problem and it is appropriate that it is highlighted in this place. The Moonee Valley City Council advised me that nothing that occurred before the Supreme Court changed the status of the council as owner of Spring Gully Reserve.

In February this year the mayor wrote to all members of state Parliament outlining the council's opposition to any compulsory acquisition of all or part of Spring Gully Reserve. I assume many, if not all, members in this chamber received a letter. The response from this side of the chamber and the Labor party was unequivocal. The opposition accepted the view of local government and of the Moonee Valley City Council that Spring Gully Reserve should remain as public open space and that it should not be invaded, stolen or used to provide access to the toxic dump site. I should be interested to hear from government members whether they received that letter from the council and, if so, what response they made.

I turn to the \$1-per-tonne levy. Concern is significant enough for the opposition to move a reasoned amendment. The money will be compulsorily provided by the affected municipality, and \$4.5 million is a significant amount paid into a fund to which those municipalities will have no direct access. Proposed section 50XE(3) of the legislation states:

Money paid into the Environment Protection Fund ... is to be applied by the Authority in the manner authorised by the Minister and for such purposes as are authorised by the Minister ...

It is clear that local government is being required to provide \$4.5 million worth of funds that the state government will use as a slush fund. From a perspective of decency Mr Lucas should have said that if there were a need for municipalities to pay a compulsory levy they should have some direct say in how those funds are applied. Government members are saying to householders that they will effectively pay that money. They are also saying to local councils and elected councillors in those new municipalities, 'We support you being compulsorily required to pay those funds in circumstances where you will have no say about how those funds may be expended'.

I received correspondence from the mayor of the Mornington Peninsula Shire Council addressed to the honourable member for Dromana in another place. I understand he also forwarded a copy of the letter to the honourable member for Frankston in another place, which makes for interesting reading about the proposed increase in the landfill levy. In his letter dated 8 April the mayor states:

I am writing to express concern about the proposed legislative changes to the Environment Protection Act (1970) and am seeking your assistance to exclude Mornington Peninsula Shire Council from paying the proposed increase in landfill levy.

It is a simple, direct and clear request.

Hon. N. B. Lucas — Is this a personal view or the view of the council?

Hon. PAT POWER — I shall come to that. The letter continues:

The legislation proposes that the landfill levy be increased from \$3 to \$4 per tonne for metropolitan councils for three years. Rural councils will not be required to pay the additional landfill levy.

The nub of the request is that:

The Mornington Peninsula Shire Council (MPSC) is listed as a Schedule C municipal district by the Environment Protection Authority (EPA).

The designation of MPSC into Schedule C is inappropriate as 85 per cent of the land mass is rural ... rather than urban ...

Council is also disadvantaged financially in a number of other areas by its classification — telecommunication — STD rates apply for most of the peninsula; public transport — MPSC is regarded as rural and the level of subsidy per capita is around \$27 per person per annum, compared with the metropolitan area at around \$110.

Council believes that MPSC should not be included in Schedule C for the purposes of the landfill levy. Currently, the waste management group pays around \$300 000 for the landfill levy and this would increase to \$400 000 under the new legislation.

This is ... a large impost on a predominantly rural community, particularly when other similar rural communities are not required to pay this additional cost.

The letter further states:

Your assistance is sought to ... remove the shire from the schedule C. This will ensure that the landfill levy payment is not increased for MPSC.

The letter is signed by David Gibb, mayor of the Mornington Peninsula Shire Council.

The significance of that letter is that with the Liberal Party's preselections getting under way soon it will not surprise me, and I predict —

Hon. R. J. H. Wells interjected.

Hon. PAT POWER — I am quite prepared to see whether it is drawing a long bow to wonder whether David Gibb is so close to the Liberal Party that he may seek preselection for the electorate —

Hon. Andrew Brideson interjected.

Hon. PAT POWER — I have it in my office but not here in the house.

I refer to a press release of the Municipal Association of Victoria. The MAV president said when the levy was first mooted:

... Victorian councils are being forced into a ludicrous situation where they have to subsidise a state government subsidy over environment protection.

MAV president ... said that by funding its contribution through an additional \$1 per tonne levy on landfill, the Victorian government was effectively forcing councils to pay twice for recycling.

The MAV president further states:

Victorian councils are already subsidising recycling to the tune of \$24 million a year.

This levy will cost Victorian councils an extra \$4.5 million ... yet there are no guarantees —

as I have been arguing —

in the legislation that local government will get a say in the expenditure.

The MAV president wrote directly to the Minister for Conservation and Land Management in the other place. The letter about the national packaging covenant and

the national environment protection measures, dated 7 December 1998, states, in part:

Local government across all states has devoted considerable resources to assist in the preparation of the national packaging covenant and the national environment protection measure. The MAV endorses the support already given by the ALGA to these proposals as a foundation for a more sustainable recycling system ... the MAV, along with other state local government associations and the ALGA, does not believe that the funding 'offer' included in the so-called transitional arrangements presented by industry will lead to a sustainable kerbside recycling system in three years. The extent and nature of the conditions attached to the 'offer' will render it totally ineffective ... the majority of councils are involved in recycling as part of their contribution to meeting the ANZECC and state/territory landfill reduction targets. The conditions placed by the industry group on their offer of assistance as reflected in the transitional arrangements ... do not adequately assist 72 per cent of councils across the nation that are committed to current contracts for at least the next two years. The majority of these councils will not receive any benefit from the proposed package ... your government's proposal to add \$1 per tonne to the landfill levy to generate the state's matching funds can only exacerbate this financial deficit for Victorian councils.

That MAV's view is clear.

The regional manager of the South Eastern Regional Waste Management Group wrote to the minister in December 1998. The letter states:

This group is concerned at the lack of consultation.

Why would the government consult over a proposal that compels municipalities to pay \$4.5 million in circumstances where they will have no say about its expenditure and where the minister will decide how the funds will be used? If the government is prepared to be so heavy-handed and anti-community, why would it consult? The group is concerned:

... at the lack of consultation by your office at the proposed amendments to the Environment Protection Act 1970, in particular the proposal to increase the landfill levy by \$1 per tonne.

The increase in the levy will be the Victorian government's commitment to the national kerbside voluntary agreement — transitional funding arrangements; funds that were supposed to be new state government funds.

The South Eastern Regional Waste Management Group is deeply concerned that the industry funding proposal is so restrictive that a sustainable system of kerbside recycling to be achieved within three years is almost impossible.

Local government will contribute some \$4.5 million ... thus increasing the cost burden to which we were seeking some relief.

It is this group's concern that unless the full levy increase is returned directly to local government ... councils will be forced to review their level of recycling service.

In that strong letter the regional waste management group points out its concern about process and outcomes, and stresses that the legislation creates a situation where local government is providing the government with funds for a so-called state government initiative.

A media release was issued by the South Eastern Regional Waste Management Group in December 1998. It states, in part:

Victorian local government will pay an additional \$4.5 million ... and the South Eastern Regional Waste Management Group will contribute more than \$1.2 million as its share.

The chairman ... Cr Will Charlton, questioned the lack of consultation with councils and regional waste management groups ... and is concerned that, once again, local government is being made to contribute more funds to kerbside recycling at the very time they are seeking some relief from the escalating costs.

Local government should not be asked to sustain the unsustainable.

Debate interrupted.

The DEPUTY PRESIDENT — Order! The time has arrived for the Legislative Council to meet with the Legislative Assembly in the other chamber in a joint sitting to elect two members of Parliament to the Victorian Health Promotion Foundation.

Sitting suspended 5.58 p.m. until 8.03 p.m.

JOINT SITTING OF PARLIAMENT

Victorian Health Promotion Foundation

The PRESIDENT — Order! I have to report that this house met with the Legislative Assembly this day to elect two members of Parliament to the Victorian Health Promotion Foundation. The Honourable Gerald Barry Ashman, MLC, and Mrs Janet Tindale Calder Wilson, MP, were elected to the foundation for a three-year term commencing on 23 May 1999.

ENVIRONMENT PROTECTION (AMENDMENT) BILL

Second reading

Debate resumed.

Hon. PAT POWER (Jika Jika) — I wish to make a few more comments on the legislation, especially in the context of the reasoned amendment.

After the announcement late last year that the legislation would be introduced, on 7 December 1998 the Mayor of the City of Greater Dandenong, Roz Blades, wrote to a number of members of Parliament stating that the City of Greater Dandenong objected to the \$1-per-tonne increase in the landfill levy and asserting that the increase would effectively push an extra \$4.5 million tax impost onto local government. The letter states:

For Greater Dandenong, this equates to an additional amount in the order of \$35 000 — \$37 000 per annum ... Greater Dandenong already supports recycling to the tune of approximately \$1.36 million per year.

The letter further states:

Local government is currently bearing all of the kerbside recycling service costs; the NPC process and voluntary industry funds were supposed to relieve council recycling costs, not further strain them.

The letter also states:

Local government cannot continue to absorb the full cost of recycling.

The Eastern Regional Waste Management Group has also expressed its concern, indicating that the \$1-per-tonne levy increase is an increase of 33 1/3 per cent of its landfill levy. It claims that the last levy increase was from \$2 to \$3 per tonne, despite the fact that the amount of waste going to landfill from councils is decreasing.

The Northern Waste Management Group has raised the issue of the \$1-per-tonne levy being temporary and asked whether the legislation would be extended so that the levy would continue for more than three years.

The Minister for Industry, Science and Technology may be able to respond to some other issues concerning the approach and structures used to arrive at the legislation. On behalf of the opposition I ask the following questions. Is low-level contaminated soil to be categorised as hazardous waste? Will low-level contaminated soil also attract the proposed \$10-per-tonne levy? Will acid sulphate soils attract the \$10-per-tonne levy? Is the proposed \$10-per-tonne levy to be imposed in addition to the \$3 or \$4-per-tonne levy, or is it to replace that levy? The explanatory memorandum to the bill states that the bill will discourage the disposal of hazardous wastes to landfill and increase the reuse of such wastes. In that context has the government yet prepared for or provided to the industry any clear guidelines on where or how contaminated soils can be reused? How was the amount of \$10 per tonne arrived at? Will any economic impact

assessment be conducted in connection with the proposed \$10-per-tonne levy?

I conclude at that point. The opposition is concerned about two aspects of the bill, as expressed in its reasoned amendment. However, given the nature of this chamber the opposition will not oppose the second reading of the bill.

Hon. N. B. LUCAS (Eumemmerring) — I refer to page 4 of the 1997–98 annual report of the Environment Protection Authority. It states:

In the end everybody is an environmentalist. You've just got to find the way in which they express it.

It is in that context that I will speak on the bill, which I support. I will also speak against the reasoned amendment moved by Mr Power.

The corporate plan of the Environment Protection Authority for 1998–2001 states, under the heading 'Reduction and Management of Waste':

Wastes take up valuable landfill space, and storing, handling transporting and disposing of wastes — particularly hazardous wastes — is costly and can expose the environment to unacceptable risks.

I will refer to that point again. The Environment Protection Authority's corporate plan lists a number of what it describes as deliverables, which the EPA is addressing during this triennium. The bill addresses the general thrust of those deliverables. It also deals with the implementation of strategies to improve the management of recyclable materials.

The bill aims to strengthen the industry waste reduction agreement process. It refers to a new hazardous waste landfill levy, and among other things also deals with transport requirements for prescribed waste. Later I will deal with the levy, Ms Smith will discuss recycling and other government speakers will address other issues of interest.

Every federal, state and local government in every country on the planet needs to play its part in protecting the environment. In the developed countries a lot is being done about waste and other environmental issues, and that is to be encouraged. My concern is that many Third World countries give little attention to environmental issues, and I will refer to a couple of matters in that context.

The first is a document released just after the Rio summit by 1600 senior scientists from 71 countries, including half the world's Nobel Prize winners. Under

the heading 'World scientists warning to humanity', the document states:

No more than one or two decades remain before the chance to avert the threat we confront will be lost, and the prospects for mankind are immeasurably diminished. We, the senior members of the world's scientific community, hereby warn all of humanity of what lies ahead. A great change in our stewardship of Earth and the life on it is required if vast human misery is to be avoided and our occupancy on this planet is not to be irretrievably mutilated.

That statement is of concern. If one looks for evidence of their forecast, sadly it is relatively easy to find. For instance, I note that based on worldwide temperatures the six warmest years on record have all been recorded since 1990, with last year being the warmest year ever. As a result, a number of other concerns arise.

One-tenth of the plant species known to man are at risk of extinction. I point out that a quarter of all prescription drugs are derived from plants, and the drugs derived from tropical forest plants are worth about \$US25 billion a year. I have cut out some relevant articles from the Melbourne daily newspapers. Under the heading 'Amazon forests loss worse than thought' a report in the *Age* of 9 April states:

The destruction of the Amazon rainforest may be proceeding at double the rate revealed by satellite surveillance ...

On 7 November last year the *Age* reported the following under the heading 'Greenhouse to trigger rise in disease: report':

A combination of rapid warming of the globe and extreme weather events is intensifying disease outbreaks and making previously unaffected areas susceptible ...

The article also refers to the movement of certain tropical diseases into areas of cooler temperatures where they previously did not exist. An article in the *Age* of 9 April reports:

Two Antarctic ice shelves had broken up more quickly than anyone predicted, indicating that the effects of global warming may be accelerating ...

An article that appeared in the *Age* of 14 November last year states:

A huge proportion of the world's coral has died this year ...

There is much evidence about the seriousness of what is going on in the world's environment. The issue is whether the governments of the planet will do something about it in time. In that context I support what the government is doing to improve the environment of the state. On 10 March the *Age* reported that:

Reality has arrived. Recognition is filtering through to Australian business that to be outside worldwide moves to mitigate climate change will damage Australia's trade competitiveness and the bottom line of corporations ...

The article went on to state that the worldwide head of BP had said that climate change posed a real risk to the community and that the company would be acting in the interests of its shareholders if it took some action.

What has the Victorian government done about all this? I note that in its *Victoria 21* document, which was released a short time ago, the government states that one of its goals is to make Australia — and, of course, Victoria — the cleanest and greenest country in the world. Closer to home, we have Victoria's greenhouse action strategy, which encourages appropriate responses to global warming. The government has initiated a number of programs — for instance, the new green power scheme for Victoria. An article in *Energy Efficient Victoria's News* refers to the interesting fact that the community is becoming increasingly supportive and aware of the need to do something to improve the quality of the state's environment:

A recent consumer survey commissioned by Energy Efficiency Victoria found that 9 in 10 consumers believe that helping the environment by conserving energy and reducing greenhouse gases is important to their households.

Another interesting comment in the article is that if 1 per cent of residential electricity consumers in Victoria chose green power — that is, power generated by something other than fossil fuels — greenhouse gas emissions would fall by 112 000 tonnes in one year. The question is whether we are serious about doing something about it. The answer is yes, we are. I will mention a few more things the government is doing.

Any research one undertakes into the environment and any documents one reads about the environment lead one to the cold realisation that the time to act is now.

The Environment Protection Authority, in pursuing and achieving the government's policies on behalf of Victorians, is doing something about that. The difficult question is whether Victoria is moving fast enough. There is a need for action at all levels.

One example of action at a micro-level concerns the landfill site at Narre Warren, with which I have been concerned. A huge rubbish dump of rotting, putrescible material was producing a high volume of methane and other gases there. A vacuum system was used to suck gases out of the tip once it had been capped; the gases were cleaned up, unusable gases removed and the remaining gases used to run gas-powered turbines that

generate electricity, which was sold for use within the Victorian electricity grid.

The plant produced heat, which was captured from the top of the generating equipment and used to run a large rose nursery that grows thousands of flowers throughout the year. So much heat was generated that it was used also to establish a pilot factory that squashed wastepaper and mixed it with herbs and spices to form an insulation batt. The heat used in the generation plant, together with the recycled ingredients, was available at no expense; it was just a matter of piping the heat through. These are innovative arrangements. Ross Currie, a former colleague of mine, was involved in setting up that innovative way of turning something environmentally bad into something worth while.

When I was in Denmark last year I had the opportunity briefly to see wind-power generation equipment operating. Denmark, a small country of about 5 million people, has taken up the goal of producing 10 per cent of its electricity from wind power. That project has gone so well that an aim of between 30 and 40 per cent wind-power generation is being considered. Such approaches need to be examined around the globe. When my turn comes I will encourage the government to consider the possibilities of solar power, wind power and photovoltaic power, generating electricity from sources other than fossil fuels. Government members are proud of the state government's program, which encourages a Green Power scheme for Victoria.

When I was in the United Kingdom doing some private study last year, I had the opportunity to visit the Earth Centre at Doncaster in England. The centre was set up as a millennium project by the British government to encourage the community to examine environmental issues and become aware of the things that can and should be done. I saw the development site; the centre had not yet opened. Some £100 million was being spent on the first stage of the project, with a further £40 million to be spent on the second stage. I hope to visit the centre again one day to see how it is progressing.

The world is moving forward, with a range of initiatives having been taken. The question is whether we have taken four steps forward and six steps back — nobody knows. All honourable members know such issues are becoming more urgent, and that is why we should support legislation of this type.

I quote an EPA newsletter called *Making a difference*. It contains an article headed 'Zeroing in on Waste' about a government program run through the EPA that

challenges industries and communities throughout the state not only to cut waste but also to improve efficiency. The following is stated regarding that ongoing government-initiated project:

The strategy [for industrial waste] encourages creative ways of avoiding waste generation at the source. Where waste cannot be avoided, the strategy stresses the importance of turning wastes into resources through reuse, recycling or recovery of energy.

The strategy emphasises product stewardship — responsibility for all environmental consequences of production from manufacture to disposal.

The EPA is working with the waste management industry to ensure residual wastes are managed safely.

A recent review chaired by the excellent Parliamentary Secretary, Planning and Local Government, the honourable member for Prahran in another place, was the subject of a news release.

Hon. Pat Power interjected.

Hon. N. B. LUCAS — Perhaps Mr Power has not seen the news release. It states that the vast majority of Victorians recycle their waste and that 84 per cent of Victorian households take pains to separate their paper, glass and plastic products and leave them out for kerbside recycling.

Hon. Pat Power — Are you saying you have seen her report?

Hon. N. B. LUCAS — I am referring to a news release about the review. Yes, I have seen the news release.

The challenge to the recycling industry is to increase demand for recycled products, whether plastic, glass or paper, in an appropriate manner. In a previous life in local government I became aware of products such as road furniture, including the posts along roadsides, bollards and other products made from waste plastic. The waste products are boiled up, put into moulds and used to make new products. There is no material cost other than that of collecting waste materials and moving them from recycling to manufacturing plants. The material is used in a meaningful and appropriate way.

Ecorecycle states that the amount of materials being recycled has increased significantly since 1996. The challenge is to find ways of using this recycled material. This discussion takes us to the nub of the question of landfill levies. I will not continue speaking about recycling as I do not want to cut across the speech of my colleague the Honourable Wendy Smith.

Municipal landfill levies, a subject that seems to excite Mr Power, are set at \$1 per tonne and contributions from industry are based on the principles of environmental management spelt out in an intergovernmental agreement on the environment. That agreement advocates a number of proposals, including a commitment to environmental stewardship, waste avoidance, the reuse and recycling of wastes and the recovery of energy. It advocates responsible management of all residual waste streams.

The agreement also proposes a number of measures that seek to improve the quality of the environment. They include: waste minimisation; cleaner production partnerships; promoting and assisting with other financial incentives; facilitating capacity building programs; environmental performance reporting; building awareness of the potential liabilities and financial risks; improving public data on waste generation; waste pricing that reflects the long-term environmental risks of treatment and disposal; helping businesses identify opportunities to defer potentially valuable resources from the waste stream; ensuring the application of best practice in all aspects of the management of residual waste streams; and working with the accounting profession to ensure managers have the financial information on which to base decisions.

Those measures can be undertaken if governments have available to them the funds collected from levies. The bill proposes a temporary increase in the municipal landfill levy. It will apply to landfills in major urban areas and will provide funding for recycling reform under the national packaging covenant. The levy will also fund additional programs that focus on directly assisting local government. The programs will help to increase certainty and provide price stability. By the end of the levy period the government aims to have an efficient and sophisticated arrangement for collecting and sorting waste as well as substantially greater market opportunities for collected materials.

Some excellent people work in the waste industry. I do not want to let the opportunity pass without mentioning Bill Gray from J. J. Richards, which runs a recycling operation in Hallam, which is in my electorate. I attended the opening of the organisation and saw how the waste is sorted and processed so it can be used to make other products.

Ross Currie, whom I mentioned earlier today, still works in the waste industry, although he now works on the west side of Melbourne. He is associated with the Twigg Group, which is also doing a lot of good recycling work. During the past 10 years the state's

recycling expertise has increased. All Victorians should be proud of that.

Mr Power's reasoned amendment makes what seems to me to be an amazing suggestion. The amendment says — and Mr Power will correct me if I am wrong — that the government should agree to return \$1 per tonne as a cash grant to councils from the funds collected under the additional \$1 landfill levy.

Hon. Pat Power — That was the call made by one of the groups I advocated on behalf of.

Hon. N. B. LUCAS — It is in your amendment; that is what the amendment says. The opposition has moved an amendment arguing that the government should give each council a grant based on \$1 per tonne of waste. Why would you bother to collect \$1 per tonne from councils in the metropolitan area if all you intended to do was to go to the other side of your desk and write out a cheque for \$1 per tonne and give the money back to them? That is the extent of the opposition's understanding of financial issues, and it shows how it would run the state's finances.

A Labor government would say, 'We will raise a levy of \$X and give you back a grant of \$X.' I inform Mr Power and the other members of the opposition listening to the debate that all his amendment would do would be to make a lot of work for accountants! If the opposition's amendment proposes collecting a levy from councils and giving it straight back again, I would not call it very reasoned! There is no reason for collecting \$1 and giving \$1 back. I am strongly against the reasoned amendment.

The minister, the EPA and the Department of Natural Resources and Environment will distribute the levy for the benefit of the state's waste collection and recycling programs. It will not be given to councils to prop up recycling programs. Some of it, perhaps all of it — that is yet to be decided — will be given to councils in the form of grants to improve the efficiency of the waste collection and recycling system. It will not be just dollar in, dollar out. That is a nonsense!

It is important that Victoria manages its hazardous waste well. I note that we collect approximately 600 000 tonnes of hazardous waste every year. I stress how worried and concerned I am about an opposition that says the government should abandon all plans for new toxic waste landfills. What would the opposition do with hazardous waste? I assume it would either stop hazardous waste being produced, which is a nonsense, or warehouse it. Labor's policy appears to be to allow hazardous waste to lie around in warehouses and yards

throughout the metropolitan area rather than disposing of it.

To be fair, all honourable members want to reduce hazardous waste, but we all know that a zero figure cannot be achieved and that hazardous waste will continue to be produced. The question is: how do you get rid of hazardous waste? New technologies for disposing of the waste are emerging. One is the innovative hot lance treatment whereby a lance that has been fired to a very high temperature is put through, as an example, PCBs to break them down into their component parts. If they are cooled very quickly, the component parts can be pulled out, and you no longer have PCBs. If they are not cooled down quickly enough, the PCB reconstitutes.

Different technologies are being developed to deal with hazardous waste, but those technologies and a reduction in hazardous waste will not be sufficient to dispose of the problem entirely. We are looking down the barrel of the opposition's policy, which is that if Labor were in charge business and industry around Melbourne would be told, 'We haven't got anywhere to put your hazardous waste. You will have to store it. Leave it in your yard or stick it in a store somewhere'. The sad fact is that that is already happening; that is the challenge the government faces. The opposition would make the situation worse; the government is trying to make it better. It is one of the many issues on which we are divided.

The Labor policy for warehousing hazardous waste will not work. There must be a bipartisan relationship on issues that affect the environment. I have spoken about the levy and look forward to contributions by honourable members on other areas of the bill.

I believe members of all parliaments would agree that we must work as hard as possible to promulgate government policies to business and to influence the community right down to the householders so that they play their part in trying to turn around what appears to be a serious issue. I predict that as we experience more serious climatic events — there was one in Sydney the other night — and as the globe continues to warm people will realise that the problem will not go away unless those causing it — humankind — do something about it. If nothing is done the problem will become worse. The question is whether we will turn it around in time. I hope I am playing my part, as members on both sides claim they are playing their part.

In conclusion, I support the bill, which is another small measure by the government to improve environmental issues and enhance methods of waste management and

recycling. I support the bill but do not support the reasoned amendment.

Hon. T. E. EREN (Doutta Galla) — The Environment Protection (Amendment) Bill is a practical move that does not go far enough in tackling the waste issue. That is why the opposition moved the reasoned amendment. The Minister for Conservation and Land Management is trying to restore her reputation in this important area of environment protection and recycling.

The government has an appalling track record. It is encouraging to see that future generations of Victorians will benefit from positive changes to waste management. Previously the minister did not consult with the community. Finally she has started that consultation process so that the community now has a fair idea where the government is planning to dump toxic waste. In the interests of the community the opposition asks the minister to declare the 27 possible sites instead of trying to keep them secret. Proper consultation means listening to community concern and making those sites public as soon as possible. Proper consultation should lead to the government taking on board community concern. In the case of Niddrie, the minister is not listening to genuine community concern.

Mr George Adams of Quadry Industries has estimated that there are some 200 truck movements each day. That is 2½ movements a minute each 8-hour day. Based on the developer's own assessment, 11-year-olds living around the Niddrie quarry site, where there are schools and shopping centres, will have trucks pass their homes every 24 seconds until their 21st birthdays. Sensible members of this chamber will understand the ramifications those children face.

The Moonee Valley City Council has proposed a more sustainable and environmentally friendly project that does not involve filling the quarry with toxic waste. The council should be congratulated by all members on the work it put into the alternative proposal. Unfortunately, if the site in Niddrie goes ahead and the government does not change its mind a magnificent parkland that the community has built over many years will be lost. The project can go ahead only if the quarry can be accessed through the reserve. That reserve will be taken away from the residents and handed over to a developer.

According to two Moonee Ponds-based academics, Mr Joseph Turrisi, a chemical engineer, and Peter Paspaliaris, a microbiologist, the toxic waste will leak into Steel Creek and the Maribymong River. As a

concerned local member, on 18 November 1998 I raised the matter with the minister and said:

The authors have indicated that no effort or expense should be spared in ensuring that the proposed industrial chemical waste encasement system not be allowed to proceed. The report also referred to studies that indicate instances of stomach and cervical uterine cancer increased in an area near waste-fill sites and that leaching of soiled wasteland fills has been shown to affect genetic growth.

I asked the minister to respond, but to date I have received no response.

Hon. M. A. Birrell — Who said that?

Hon. T. E. EREN — Two Moonee Ponds-based academics who issued a report to the community and the government. The minister should put safety and health issues above profits. She should not take away local parkland and turn it into wasteland. She has an opportunity to restore her reputation not only by consulting the community but by taking their views on board to put an end to the proposed toxic dump in Niddrie. I ask all honourable members to support the reasoned amendment moved by the opposition.

Hon. W. I. SMITH (Silvan) — I support the Environment Protection (Amendment) Bill but do not support the reasoned amendment. Waste levels are rising and as we move into the next century questions must be answered. What needs to be put in place to achieve waste reduction? How should we deal with waste remaining after reduction and recycling? What recycling levels can we reach by 2005? What will be the trend in the future? Those questions are being asked not only in Australia but overseas. Waste reduction, hazardous waste disposal and recycling are global problems. There are no easy answers. Every country is grappling with the problem. The bill is in response to the growing problem every country faces in increasing recycling and reducing the material going into landfill and the more difficult problem of hazardous waste disposal.

To answer some of these questions, one must look at the international trends in the United Kingdom and in particular the European Union, which has issued directives to all the countries involved because they have various standards of waste and recycling. It has issued directives to try to achieve harmonisation using innovative technology.

I refer to the policy adopted in mid-Sussex in England. It is considered by the European Union to be one of the leaders in recycling household waste in particular. The policy is to increase the amount of household waste recycled. In 1998, 18 per cent of glass, paper and

material was recycled, and in many districts a weekly collection system operates for plastics, cans, glass, paper, cardboard boxes and junk mail. The major component of household waste — 29 per cent — is biodegradable kitchen waste, and though much has been done to urge householders to compost that waste it is an uphill struggle. Recycling is totally dependent on a market for the resource. The price seems to fluctuate and there are times when it is impossible to give away recycled paper.

Again using the United Kingdom experience, plastic is a nightmare because seven different types must be sorted by hand. Obviously the costs are high.

Moreover, because plastic is so light, large quantities of it need to be recycled before costs can be recovered. Toxic waste disposal is a problem in every country, not only in Victoria. In Europe, as with all waste management, special types of toxic wastes are determined by directive. They include hospital or clinical waste, paint solvents and asbestos. The quantity of toxic waste produced is not large, nor is the volume of liquid waste, which needs special chemical treatment. Industry pays and receives a hefty sum per tonne for toxic waste.

Experts argue that incinerators are the answer to everything. The problem is that waste needs to be burnt at 1300 degrees Celsius to ensure dioxins do not escape from the stacks. However, monitoring that temperature by regulators is difficult. Incinerators are also bad neighbours as they generate enormous volumes of traffic, and not all waste, such as construction waste, can be burnt. In addition, between 15 per cent and 33 per cent of all household waste by volume ends up as residue, often full of heavy metals, unless they are extracted, and the ash must be put into a landfill site.

Modern landfill facilities as a resource for the disposal of waste will continue to have a significant presence. It can be argued that state-of-the-art landfill practices have advanced to the stage where they are cost-effective and environmentally sound.

The generation of energy from landfill gas management schemes is an example of utilisation of waste in landfill sites. According to the European Commission green paper on renewable energy in the United Kingdom and the Netherlands for example, about 7 per cent of all electricity generated by energy sources comes from landfill gas-to-energy schemes.

A new European landfill directive will introduce a series of measures aimed at raising all of Europe's landfill standards to a similar highly harmonised level.

The directive will also aim to reduce the volume of waste allowed to be used as landfill, and there will be a series of minimum design specifications that focus on landfill liners, liquid gas management and locational restrictions. In addition the European Commission is aiming to reduce the hazardous nature of landfill contents by detailing waste regarded as unacceptable. It will also detail the prior treatment required, whether physical — including sorting — chemical or biological, of all waste prior to its being used as landfill. The impact will be to stimulate other forms of waste management such as composting, sorting infrastructure or incineration.

Internationally, environmental, economic and legislative factors are leading to an increase in waste processing and treatment prior to final disposal. The need to preserve natural resources and the commitment to the goal of sustainability will continue to have a significant impact on the use of waste as landfill. Waste minimisation, reuse and recycling are always preferred options to waste disposal.

Earlier the opposition spoke about taxation or levies. I refer to the publication *International Directory of Solid Waste Management 1998-99*. An article on sanitary landfilling, under the subheading 'Disposal Taxation', states:

Landfill taxation is a growing phenomenon within Europe ... Sweden introduced a tax of ... around \$US35 per tonne ... This will push tip fees up to the \$US150 region in certain municipally controlled regions of the country.

In October 1996 the UK introduced a landfill tax of ... around \$US11 ... which effectively raised the average price of landfill by some 50 per cent-100 per cent. Initial evidence suggests this has led to a decline in the volume to landfill, as well as to increases in fly-tipping and fines for non-payment.

In Norway, a recent proposal by a working group consisting of technical and business people suggested a differentiated landfill tax of \$US73 if the site operated without methane recovery and \$US45 if it did.

The combined effect of these tax initiatives [is obvious and] will inevitably be to discourage waste from landfill, increasing the apparent economic attractiveness of recycling and raising the costs up to a level that is comparable to incineration. It is important to note that disposal tax initiatives have not been limited to landfill. Denmark, for instance, operates an incineration tax, levied at £20 per tonne (if a minimum of 10 per cent of waste is converted into energy) and £25 per tonne (if just incineration).

Management of sites is about day-to-day operations. Increasingly, Europeans are allowing a lengthy period of after-care once the landfill site has been fully used. That requires a watertight agreement between business and the government on the use of the filled site and even a bond to ensure money will be available to do

whatever is necessary. With new technology a new site must have a weighbridge and a record of what toxic waste is disposed of and where it is deposited.

It seems there is no alternative but to accept landfill sites well into the future. New sites will probably be located farther from the city, with higher transport costs, and will need to have first-class design, management and after-care. Crucial to this approach is the design of liners to prevent leachate from affecting the watercourses and preparations to extract methane gas. Landfill will play an important role in the 21st century. For a number of reasons the trend will be towards large, capital-intensive projects developed on a regional basis to serve large catchment areas.

I refer to current trends in Hong Kong. Recently a strategy was designed to invest in landfill sites as a long-term method of managing a substantial volume of Hong Kong's waste. In the south east of the New Territories a site has been developed with a capacity to receive more than 2 million tonnes of waste a year until well into the second decade of the next century.

In the United States landfill site construction costs approximately \$US250 000 per acre. That high level of investment is difficult for local government budgets to meet; thus, many contracts are undertaken by the private sector. For example, Waste Management Inc. recently won a contract to construct a 455-acre landfill site west of Chicago that is scheduled to open next year. The site is expected to accept 14 million tonnes of waste over 23 years and to generate a revenue of \$US400 million.

Major cities in emerging markets such as Bangkok and Manila, educated by the evolution of waste management in Europe and the USA, are demanding totally integrated solutions for their waste problems. Again, landfill use will remain a necessary component. Until international recycling markets can be stabilised through economic and fiscal initiatives and legislation, landfill use will continue to play a major and consistent role. There is no easy solution, and the way forward lies in a range of solutions.

One measure being considered is to place responsibility on manufacturers and retailers to be responsible for waste created by packaging goods. Again using the European Union as an example, I point out that a packaging directive forces suppliers, manufacturers and retailers to recycle some of their packaging waste, depending on where they are in the supply chain. Similarly, a recent challenge issued to the automotive industry is to recover and recycle 85 per cent of

end-of-life vehicles by 2005. A consequence of that will be a reduction of waste to landfill.

Another emerging trend is the production of various refuse-derived fuel for energy generation. For instance, fibre fuel processes the lighter elements of waste, plastic and paperboard into a fuel pellet typically containing a calorific value that is 75 per cent the energy value of coal.

A further interesting trend about which I have just read is in the Japanese energy sector. It envisages using coal ash generated by power stations in cement-making factories as well as in operating manufacturing plants.

The community must be involved in the development of an understanding of the problems and solutions. The community will need to pay more for waste management because the era of cheap and nasty but cheap solutions has gone. I am not talking simply about the environment and greenies but about potentially serious dangers to human health and the food chain.

The best way forward is through education — that is, informing people, especially children and youngsters, of the problem and developing a recycling culture. The government would set a good example if it printed letters and reports on recycled paper.

The bill aims at trying to reduce and control waste management. The world is linked to the environment system. Business, government and technological experts need to work together because unless we apply new technology to protect our environment, we will all suffer. I ask the house to support the bill.

Hon. S. M. NGUYEN (Melbourne West) — The opposition opposes the Environment Protection (Amendment) Bill and supports the reasoned amendment moved by Mr Power. The bill deals with waste management in Victoria. The government has failed to manage its waste and to improve the standard of waste management because it has lurches from one ad hoc decision to another. The public has been ignored when it comes to protecting the environment. The government has particularly failed to provide better environmental health and public health.

The purpose of the bill changes the recycling system for municipal and household waste. It also aims to implement industry waste reduction agreements and to prescribe waste management practices.

The bill temporarily increases the landfill disposal levy by \$1 per tonne to \$4 per tonne in Melbourne, Mornington, Geelong, Bendigo and Ballarat and alters

the state environment protection policy (SEPP) to allow for reuse and recycling.

The bill also provides for the Industry Waste Reduction Agreement (IWRA). The Environment Protection Authority is allowed to issue PERIN notices for breaches instead of having to go to full criminal prosecution. The levy increase of \$1 per tonne is to pay the state government's contribution to a national approach to try to put kerbside recycling programs on a sustainable basis.

Local councils do not support the increase because the state government will not listen to their concerns, so the recycling problem will not be resolved. Each council will pay an extra \$40 000 per annum for the increased cost of recycling. The problem is that the levy will increase the payout by local councils and at the end of the day councils will not receive the funds; they will go to Ecorecycle Victoria.

The Municipal Association of Victoria sent a letter dated 21 November 1998 to express its view:

This levy will cost Victorian councils an extra \$4.5 million over the three-year program, yet no guarantees in the legislation that local government will get a say in the expenditure.

Councils are being screwed financially and at the same time being denied a say in the process.

A further letter from the City of Greater Dandenong states:

This equates to an additional amount in the order of \$35 000 to \$37 000 per annum, for a three-year period.

The bill changes the permit system for transporting hazardous wastes and provides a new prescribed waste levy of \$10 per tonne from 1 July this year. The fund will help recycle clean product and waste management programs. The bill covers both the municipal and prescribed waste areas.

On the question of the government recycle program, an article appeared in the *Herald Sun* of 12 May 1998 with the big headline, 'Paper crisis as recycling costs soar', stating:

Kerbside paper recycling is near collapse.

A submission made by the Whitehorse City Council in February 1998 states:

the cost of kerbside collection has increased dramatically due largely to factors beyond council control ... from a local government perspective, kerbside collection has reached a costing crisis. The collection cost at Whitehorse has spiralled up to 97 per cent in the past two years with monthly costs continuing to rise.

That is a big increase — 97 per cent. The cost of recycling for each house in the City of Whitehorse increased from \$9.90 to \$19.40 per annum over that period. Local councils estimated that it would cost \$24 million to fill the black hole between collection costs and goods collected. The government subsidy of \$1 million does not recognise the big losses to local councils which have faced large cost increases. Contractors have gone broke because they have been paid very little to do their jobs, and some contractors have had to dump recycled goods in landfill because of lack of support from the government.

The bill also deals with industrial waste management. The report of the EPA states that it supports the minimisation of waste, but that has not happened and the public is still at risk. As soon as the EPA released its waste strategy, the government announced that toxic waste dumps were planned for Werribee and Niddrie.

Environmental hazards are also dealt with in the bill. The minister must know about the excellent report prepared by Mr Joseph Turdisi and Dr Peter Paspaliaris on the health and environmental hazards posed by the proposed filling of Niddrie quarry with low-level contaminated soil. The report contains many good points, which include:

That the proposal being made by the developer amounts to little more than a rudimentary attempt at adopting a stone-age technology to the solution of a space-age problem.

The EPA has no authority to prosecute because it does not have that power. It has support from the government but it needs to be tougher, stronger, smarter and more independent. It is now just a rubber-stamp body of the government.

The Werribee community got together and met at the site of the proposed Werribee toxic waste dump. I was there that day when the community expressed its anger and concern. The community won the battle in the end, and it is now the turn of the Niddrie community. It has set up a task force to meet the government and discuss the issue of toxic waste. The *Herald Sun* reported on 31 March that residents of Niddrie were prepared to go to gaol rather than have a toxic waste dump located there after the Supreme Court dismissed a council appeal against approval of the project.

Local councils are not happy about the proposed legislation. Funds should be provided to councils which have done a lot of hard work to provide green programs, recycling programs, community education programs and the Keep Australia Beautiful day organised by Ian Kiernan. The role of councils is very

important in providing basic recycling and collection services to the community.

Councils have been caught because they have organised fixed contracts for the collection of glass, paper and so on. Manningham City Council spent \$90 000 and the City of Hobsons Bay spent \$60 000 on developing contracts. Many councils face the same problem of having to pay a minimum of \$20 000 to prepare contracts.

For those reasons, I support the amendment moved by the opposition.

Hon. J. W. G. ROSS (Higinbotham) — I support the Environment Protection (Amendment) Bill and oppose the reasoned amendment. The bill is another example of the Kennett government's strong and proactive approach to the issue of environmental protection. Environmental protection will be achieved in a global sense by minimising waste disposal and encouraging industry and local government to adopt new recycling initiatives.

It is intended to develop a cooperative and educational approach to the question and take a statewide approach. The legislation will lead to initiatives that will shift the emphasis from the generation and disposal of waste to the identification of the economic potential of the by-products of manufacturing processes. It will encourage special arrangements for managing hazardous wastes, with particular reference to the safe transportation and chemical transmutation of waste materials, and where it is necessary and unavoidable, their proper disposal. All of that is enshrined in clause 3 of the bill. Clause 3 states that on the recommendation of the Environment Protection Authority the Governor in Council may declare a state environment protection policy with respect to the reuse and recycling of substances.

The bill is expansive and visionary, and it takes a statewide view. It is disappointing that in response to the policy setting of the government, the opposition has moved a narrowly focused reasoned amendment that is based on two partisan interests. The first is the position adopted in local government lobbying. It can be summarised as, 'How can we get our hands on the money associated with the initiatives?'. The second is the bizarre suggestion that there be no more prescribed waste landfill facilities developed in Victoria as a result of the irrational pressure exerted by Niddrie constituents. The reasoned amendment misses entirely the point that there is a need for a statewide approach that is properly integrated with national initiatives. The opposition has offered no solutions on the disposal of

prescribed waste that cannot be handled other than by disposal to landfill and is simply feeding the hysteria in the community associated with so-called toxic waste.

One of the main provisions in the legislation concerns industry waste agreements. I am also disappointed that the opposition has not touched on that issue. The bill provides for the general approach to industry waste reduction agreements under the Environment Protection Act to be updated. There will be a progressive move away from the unnecessarily litigious approaches of the past to the enforcement of the agreements. At present the only official sanction that can be brought to bear on a company that is in breach of the agreements made under the act is for the authority to issue an infringement notice and launch a prosecution under the threat of a \$10 000 penalty. That adversarial approach inevitably leads to a defensive mentality on the part of generators of waste and is less conducive to favourable outcomes than can be achieved by a more light-handed approach.

To achieve some flexibility on less serious breaches of industry waste reduction agreements the EPA will in future be able to issue notices requiring either the development of new agreements or variations to the requirements of existing agreements. In my experience the availability of substantial penalties in the field can help with the occasional intransigent or renegade company, but the threat of court action is far more effective than the actual prosecution in the courts of an expensive and vigorously defended legal action.

The philosophy behind the industry waste reduction agreements is that the best environmental outcomes will be achieved by working with industry rather than by attempting to second-guess every possible environmental consequence of what can be a highly complex production process. It is clear that given the will and economic incentives individual manufacturers, groups of companies or industry associations are in the best position to recognise and capitalise on the latest technical solutions for the management of their own waste.

The bill deals with kerbside recycling and the management of recyclable materials. Earlier this month the Department of Infrastructure announced the results of the Review of Melbourne Waste and Recycling Collection that was undertaken under the guidance of the honourable member for Prahran in another place, Leonie Burke. The survey found that 84 per cent of Victorian households take the time to separate their paper, glass and plastic products from their household garbage and put them out for kerbside recycling. A principle objective of the bill is to capitalise on that

propensity by Victorians to actively participate in recycling programs. That will largely be achieved through Victoria's participation in the national packaging covenant with industry and other governments under the auspices of the Australian and New Zealand Environment Conservation Council. It will largely be achieved in Victoria through a combination of product stewardship and the development of business plans geared to developing markets for recyclable products, many of which are collected by local councils.

To make the operation of the national packaging covenant easier, the National Environment Protection Council has announced its intention to introduce a national environment protection measure for used packaging materials. Mr Power pointed out that there are difficulties in dealing with recyclable materials placed out for collection. There is no doubt that at present there is an oversupply of materials, a limited domestic market, fluctuating international currency prices and an Asian economic downturn. Nevertheless the truth was stated by the chief executive officer of Ecorecycle, Mr Ian Coles, when he said:

... even in difficult times, 90 per cent of the material collected by or on behalf of councils is recycled and that's about 200 000 to 300 000 tonnes of materials each year that doesn't go to landfill.

Clause 10 inserts proposed section 50XD in the principal act. The proposed section deals with the temporary levy that was referred to by Mr Power. Victorians have responded well to other initiatives on household garbage and the proposed section will introduce a temporary additional landfill levy of \$1 for each tonne of waste deposited onto land at prescribed premises during the period commencing 1 July 1999 and ending 30 June 2002. The increase in the levy from \$3 to \$4 per tonne will raise \$10.8 million over the three-year period.

The first effect of the levy will be to deliver a price signal that the disposal of waste by landfill incurs a cost. That will undoubtedly act as an incentive for households, industry and local government to seek recycling alternatives to landfill to meet their waste disposal needs. It will build on the excellent initiatives that local government has already taken.

I took the time to ask local councils in my electorate — the councils of Kingston, Glen Eira and Bayside — about recycling, including the incentives they provide for the selection of different bin sizes. The City of Kingston has two bin sizes, 240-litre bins at an annual garbage charge of \$90, and 120-litre bins at an annual garbage charge of \$70. That offers householders a

\$20-a-year incentive to select the smaller bin and so reduce the amount of garbage going to landfill. The net effect of offering that initiative has been that 15 per cent of the residents of the City of Kingston have moved to using smaller bins.

In the City of Glen Eira, 240-litre bins attract an annual garbage charge of \$95 and 120-litre bins attract an annual garbage charge of \$78.50, so there is a \$16.50 incentive to move to using a smaller bin. The net outcome is that 8 per cent of the residents of the City of Glen Eira have decided to take up the option of using smaller bins.

The City of Bayside has adopted a somewhat different approach by providing smaller bins overall. The council provides 140-litre bins at an annual garbage charge of \$94 and 80-litre bins at an annual garbage charge of \$84. That provides a \$10 incentive for residents to move to using the smaller bins. The net effect of that has been that less than 1 per cent of the residents of Bayside have moved to using smaller bins, thereby reducing the amount of material going to landfill.

The point I am making is that it is possible to offer price incentives that entice residents and commercial operations to move to more economic landfill solutions, but the effect produced in councils in my electorate is very much at the margin. The point raised by Mr Power and Mr Eren, that temporary landfill levies should be passed back to the municipalities concerned, is an absolute red herring. The aim of the exercise is to pool those resources statewide to deliver economies of scale that can have a real impact across the whole of Victoria. That will be achieved using the funds generated by the temporary arrangements in association with the actions I have already discussed.

In addition, the proceeds from the increase in the levy will be used to fund the government's commitment under the national packaging covenant. Victoria has been a prime mover in developing the covenant, and it is significant that the government's cooperative approach to environmental issues has led to industry offering to provide \$17.45 million over three years; and by agreement, matching funds will be provided by the government.

The government clearly wishes to build on the propensity of Victorians to embrace recycling. Because of the recycling programs that have operated in Victoria to this time, the supply of recycled material such as old newsprint, glass and plastic containers has outstripped the ability of the government and the industry to either sell it abroad or make effective use of it at home. As I have said, the problem has become more acute in recent

times, with the economic downturn in Asia and the resultant loss of traditional markets.

The objective is to develop a situation whereby declining markets can be replaced by producing marketable materials using various new processes and by being entrepreneurial and developing new markets. That cannot be done by individual local councils. Already the minister, in association with Ecocycle Victoria, has given us a taste of the sorts of initiatives that are likely — for example, in a press release of 15 January the minister announced a boost for the recycling industry. I will pick out three grants that are typical of the large number that run to two pages to give the house some appreciation of the initiatives that can be taken that are well beyond the scope of local government.

ARRB Transport Research obtained a grant to use waste glass as a pozzolanic material in concrete and as an alternative to silica fume. If the trials are successful, that new use will open up a new market for broken glass currently going to landfill.

Organic Nutrient Technologies in Dandenong makes organic fertiliser from waste. The company uses a vermiculture process to convert organic food waste and paper and cardboard waste to organic fertiliser in both solid and liquid form. The project will develop markets through field trials and other initiatives.

The last example is the work of the Australian Institute of Petroleum and the Plastics and Chemical Industries Association on recycling of oil containers. Again, as an alternative to landfill disposal, the project will identify commercially and technically viable recycling avenues for used high-density polyethylene oil containers. I hope honourable members will appreciate that the scale and style of the grants provided through Ecocycle Victoria are well beyond what one would expect if the levy was simply returned to local councils.

The landmark joint industry and government national packaging covenant will provide the most comprehensive approach to kerbside collections and market development programs yet seen in Australia and will build on the demonstrated commitment by Victorians to sorting recyclable materials for collection.

The remaining issues I will address involve the transport of hazardous waste, which the opposition barely touched on. The bill provides for transport permits for prescribed waste. Proposed new section 53B prescribes the obligation of the consignors of waste. It states:

A person must not cause or permit any prescribed waste or prescribed industrial waste to be transported on a highway from any premises or place owned or occupied by that person unless the vehicle used to transport the waste —

- (a) is authorised by a permit to transport prescribed industrial waste; or
- (b) the vehicle is exempted by the regulations from the requirement to be authorised by a permit to transport that waste.

In my former capacity of health officer with the health department of Victoria, I was involved in an incident that clearly illustrated the need for such legislation. A semitrailer carrying a load of hazardous waste material on the Hume Highway was involved in an accident on the edge of a bridge passing over a tributary of the Goulburn River called Sunday Creek. The driver was incapacitated in the accident and taken to hospital by ambulance. The wreck was lying beside a creek. It had caught fire and a number of 44-gallon drums of hazardous liquid material were leaking into the creek.

At that stage there was no coordinated strategy or licensing and safety provisions in place to handle such an event. There was an ad hoc response to the accident from a number of authorities. The municipal medical officer of health attended, representing the interests of local residents. The Country Fire Authority officers had extinguished the fire. Experts on rivers and water supply were needed to estimate water flows and implications for the aquatic environment. Senior army officers attended because a nearby army camp drew water from the river. The agriculture department was represented because the cargo was suspected but not known to be a registered pesticide. The state laboratories were asked to test the material. In addition, the former Transport Regulation Board was represented, and I represented the health department. One could readily equate the situation to a Marx Brothers comedy because representatives of many disparate government departments attended as a result of a single accident.

The broad sweep of the bill is designed to prevent such circuses from arising by ensuring provisions are in place before accidents occur to allow adequate response capabilities to be put in place. At that time there was not even a cargo manifest to indicate what material was in the semitrailer.

My main point is that that piecemeal approach of the past is no longer tolerable. New technologies are available for tracking and maintaining an inventory of hazardous materials, allowing the determination of appropriate responses in the event of accidents. However, if the best outcome is to be attained, it is also

necessary to have a modern and complementary legislative environment. Only in that way will the government be able to offer maximum protection to the community.

The remaining issue dealt with by the bill is the landfill levy for hazardous wastes. Again in my previous capacity as an industrial health officer I was quickly introduced to the complex issues related to the disposal of intractable industrial waste. Problems almost always revolved around community misunderstanding and the sort of rhetoric delivered this evening by the Honourable Tayfun Eren, who tried to associate the disposal of prescribed waste in the Niddrie facility with diseases such as cancer.

More often than not, sheer bloody-mindedness is the major obstacle to dealing in a rational and scientific way with the need to dispose of intractable industrial waste. The old nimby principle — not in my backyard — applied over the many years I worked in the area. It became clear to me that the issue of intractable waste management has the capacity to engender a quasi-religious fervour in the community as we face the problem of the disposal of the unwanted by-products of our industrial society.

The main result of that level of community resistance has been to keep the issue from public view. Hazardous waste management issues have never been properly confronted. Until relatively recent times hazardous materials were often disposed of with the imprimatur of state and local government in disused municipal quarries close to aquifers and in other ways that present environmental hazards. I know this occurred in localities such as Northcote and Oakleigh. The entire industry has to gradually evolve and come to deal with the problems of hazardous wastes. Other suggested solutions have been short-term proposals — for example, the suggestion that intractable waste be sealed in welded 44-gallon drums and disposed of at sea by transport ships crossing waterways such as the Tasman Sea.

There has been a widespread misunderstanding of the costs and benefits of waste management technology and what economists refer to as the externalities of the manufacturing process. Environmental pollution is a classic externality. People often do a nimby and create the illusion of having dealt with a problem.

The reasoned amendment is a classic example of a nimby. In an attempt to prop up the electoral prospects of the honourable member for Niddrie, the Labor Party has prostituted itself to the extent of suggesting that no

more prescribed waste landfills should be developed in the state. That is an outrageous suggestion.

The government is proposing to generate economic incentives to effectively deal with the externalities to many production processes. During my time as an industrial health officer I visited the majority of manufacturing processes in Victoria. Dusty industries such as iron foundries and fettling and automotive repair premises almost invariably caused problems. Probably one of the most dusty industrial processes is cigarette manufacture. However, because an excise payable on tobacco is rebatable, the most efficient dust collection systems possible are installed and almost every gram of waste material is recycled. That is of obvious benefit to workers in the tobacco industry and it is one of the best examples I have seen of eliminating an economic externality by instituting an economic incentive.

The bill includes a comparable incentive — namely, a rebate for recycled prescribed industrial waste. Amendments to section 50 of the Environment Protection Act 1970 provide for the rebate of any landfill levy for each tonne of waste that is removed from the area within three years. I hope that incentive will be as successful as analogous incentives in the tobacco industry have been. The proposed landfill levy for prescribed industrial waste, set at a rate of \$10 per tonne, will be effective in providing an incentive to minimise waste.

If we use paint, we generate solvent waste; if we want electricity, we must dispose of the polychlorinated biphenyls that are produced; and if we choose to augment our agricultural yields using insecticides and herbicides, we will need to dispose of dioxins and other environmental contaminants. Even with the best will in the world, the technology that is needed to replace properly engineered landfill solutions for the disposal of hazardous waste is unlikely to be available for at least 10 years.

During the next 10 years, at least 50 per cent of the waste material that is produced could continue to accumulate in warehouses. The reasoned amendment has to be seen in that context. Does Mr Power seriously expect the house to accept that no more facilities will be made available to deal with that situation?

At present most prescribed waste generated by industry goes to special landfill sites at Tullamarine, which are scheduled to close later this year, and Lyndhurst, which is just past Dandenong, near my electorate. The extent to which community ire can be raised by a carefully targeted program of misinformation and hypocrisy was

recently shown by the furore surrounding the proposal by CSR to establish a prescribed waste landfill in the City of Wyndham. The furore is now spreading to Niddrie and Lyndhurst. What is the Labor Party doing? Is it living up to its responsibilities, taking the opportunity to present a vision for the state's industrial base? No, it is simply jumping on the bandwagon of popularism and hysteria, and making the situation worse.

Up to the present the community has not come up with any realistic alternatives to the government's proposals. It seems oblivious to the obvious consequences of stockpiling virtually all metropolitan Melbourne's prescribed waste in less than optimal circumstances around Victoria. The Labor Party has been less than helpful in that regard.

The Kennett government is committed to addressing the problem. In February 1998 the government established a consultative bipartisan committee that was given the task of developing measures to reduce by 50 per cent the amount of hazardous waste going to landfill over the next 10 years. That committee comprises representatives from the community, industry, the trade union movement, and scientific and government agencies. Hopefully that approach will deliver some satisfactory outcomes in the not-too-distant future. One of the objectives of the committee is to address the problem of unwanted chemicals lying around farms and elsewhere. There must be literally thousands of tonnes of out-of-date herbicides and insecticides stored in farm sheds throughout Victoria.

Another important target is the collection of the chemicals used for scientific experiments in schools. A classic hazard is phosphorus, which spontaneously combusts on exposure to air. It was common for school teachers to store phosphorus in tins filled with water. When the teachers moved on to other positions, the schools often lost track of those dangerous chemicals. In the case of phosphorus, the usual scenario is that the tins rust, the water escapes through the rust holes, and the phosphorus ignites and causes fires. The consultative bipartisan committee has important work to do in collecting old and unwanted chemicals. To the suggestions about collecting agricultural chemicals, I add my suggestion about collecting disused and out-of-date chemicals from schools across the state.

In the meantime, the government is committed to accepting its waste management responsibilities. The Environment Protection (Amendment) Bill is an integral part of the government's policy on zeroing in

on waste. I take pleasure in commending the bill to the house, and I oppose the reasoned amendment.

Hon. R. J. H. WELLS (Eumemmerring) — I support the Environment Protection (Amendment) Bill, which is an interesting piece of legislation. This being my 15th year in Parliament, having served in both houses, I have witnessed the maturation of the debate on environmental matters. It has come a long way. The bill reflects the stage the government has reached in handling the subject in a practical way.

I digress to compliment those members of the government whom I have heard speak tonight. Unfortunately I did not hear them all because I had other commitments, but I heard my colleague Mr Lucas make a marvellous speech, and Dr Ross has just delivered a tour de force on the subject. Like him, I have some scientific knowledge in the area. Dr Ross covered so many subjects, chapter and verse, in practical and scientific detail, that I hope his speech will be read far and wide — even across the world via the Internet. The themes Dr Ross touched on affect not only Victoria but the entire world. Depending on the stage societies have reached, they must grapple in their own ways with the issues Dr Ross has raised, using whatever knowledge and money they have available.

With hazardous waste disposal in the Western world, money is the controlling factor. It is a battle between the immediate need to feed people and help them live in dignity with enough material resources to support them and our unavoidable, long-term responsibility not only to planet Earth but to the protection of human life. The globe will spin on whether we are here or not, but we are a species with a short-term view and, therefore, the capacity to destroy ourselves. That is the real debate, which was raised in what Dr Ross had to say about chemicals.

Scientists are conscious that ionising radiation has a long half-life that is damaging to and destructive of all human and biological life. However, we often overlook the fact that chemicals exist indefinitely and can therefore be quite toxic. We know that from Japan's experiences with mercury years ago and from our experiences with the lead paint that was used on buildings for more than 100 years. Lead paints are excruciatingly toxic to the humans who consume them, and unfortunately, before our knowledge was adequate, babies crawling around the floors of our houses ingested lead paint and suffered lifelong mental damage as a result.

The subject of dangerous chemicals is enormously important, and the debate on the bill is one of which

honourable members can be proud. Members have demonstrated a considerable level of scientific knowledge. In acknowledging that, I urge honourable members involved in modern parliamentary practice to strive to contribute scientific knowledge to debates. No longer is the environment a field for the brilliant individualist; it is led by those with knowledge and experience in many areas.

I want to cover three matters in a fairly short time. The first is the background to the bill; the second is the bill itself; and the third is the future. As I said, members have contributed a lot of practical scientific information to the debate, and I do not intend to repeat it. I want to put the bill in context, because I think it is one of the most promising environmental bills I have seen.

The efforts of the Hamer government in 1970 in introducing the foundation Environment Protection Act cannot be overestimated, because it was a world-leading effort. The ALP governments came along in the 1980s and made important contributions of a more geographic nature, such as expanding national parks and developing wilderness areas, identifying and legislating for heritage rivers, and protecting flora and fauna.

The approach to the environment in the 1980s was more theoretical and lacked the practical approach this government has taken. The hallmark of the first and second Kennett governments has been the practical desire to work with the community on environmental matters. The one thing that has become clear in the past 10 years is that Victoria needs every member of the community to make an effort if it is to succeed.

For some five years I hosted a radio program called *Youth Hour* during which I had the privilege of speaking with people aged from 6 to about 22 or 23 years of age. I have an abiding admiration for the way they faced up to reality and analysed it accurately. They convinced me that their generation, the next generation of adults, is willing to become involved in a constructive, intelligent, practical and even financial way to support their community's environment. They will contribute, but it is a different story when it comes to the older generation, which is not willing to take up the issues.

With this bill the Kennett government demonstrates better than in previous bills that it wants everybody to work together in those areas. The government has had other achievements, such as halting scallop harvesting in Port Phillip Bay. Buying out the licences was petty cash in light of the important contribution that could be made to the biology of Port Phillip Bay.

The protection of our rivers from eductor dredging was another important environmental achievement. The long-term industrial strategic approach proffered by the Kennett government is outstanding. The level of science in the bill clearly shows that the Liberal Party has grasped firmly the mandate for the environmental work Parliament must undertake. The ALP claimed that right in the 1980s, but I do not think it had the right to do so.

The debate shows clearly that the ALP now has to improve its performance if it wishes to make a significant and meaningful contribution. The reasoned amendment is a case in point. I will turn to it later.

Pollution is caused by waste. Although it seems an old fashioned, unattractive and simplistic notion it is one of the major crises we face. Waste is a direct reflection of human activity; the more people, the more waste, and the higher the standard of living the more waste per capita. It is a direct reflection of human activity. The problem is one of immediate economic consideration versus long-term environmental protection.

It has been rewarding to hear government members say that the bill is a good one and that the government will work with industry. It is doing so already, but it must work a little faster because there are 6 billion people today and there will be 10 billion within 50 years. That is an enormous figure, and that is what is driving the bill tonight. As Dr Ross said, we cannot go on putting galvanised drums of indestructible chemicals into the oceans of the world or into holes in the ground and ignoring them. The problem will not go away. As happened in California, the problem will crop up 50 miles further down the river where the underground water has been polluted and damaged, destroyed and injured many types of life forms. Such material cannot be buried and forgotten.

I believe Dr Ross was generous suggesting that within a decade we will have the ability to deal with the enormous complexity of the chemical challenges we face in recycling the complex things that modern society produces. Perhaps we could with a crash program, but I do not see any government in the Western world achieving that. Ten years is a generous minimal estimate. We may have to keep the waste a lot longer than that but it is important to remember where we put it.

For a decade proposals have been made to store ionising radiation waste in geologically stable desert areas that will enable scientists to retrieve it when better use can be made of it. The same applies to many chemicals. We cannot go on burying them in places and

hoping all will be fine. That is what is wrong with the opposition's reasoned amendment. One cannot ignore the subject or walk away from it. It will not disappear, dry up or fade away.

Modern industry is based on the use of 7000 chemicals. That is the figure I had in my head 10 years ago, but it is higher today. The chemical industry is one of the largest industries of the century with the synthesis of new chemical molecules occurring daily. Chemicals are produced in their thousands, tested and a small number are used. These are all foreign toxic molecules and biology has not developed a strategy of coexistence. We cannot walk away from or ignore that.

Over the past 10 or 20 years world living standards have risen. Demographic studies show that progress will further speed up that inexorable rise. One can imagine the enormous pollution and hazardous waste that will be generated when the third of the world that comprises China and India with more than 2 billion people has cars and so on. Whatever Victoria does in this field will help the world. Mention has been made of economic stresses and what must be done for our own people. But Australia is a wealthy society; it is one of the few in the world that has the financial and technical capacity to help other people.

I shall briefly comment on four challenges we face. The first is the preservation of the natural world. The battle to preserve our forests, large mammals and so on is being lost. The second challenge is non-toxic waste such as packaging. If I buy a new shirt I find that it is wrapped beautifully in tissue paper, with pins in the collar and a plastic strip under the collar to make it sit nicely in its cellophane box. That packaging is unnecessary. As a democracy we cannot say, 'Thou shalt not produce packaging material'. We must encourage people to use less packaging.

I compliment the supermarkets of Melbourne that have introduced recycled plastic bags for carrying home one's purchases. However, people would save a considerable amount of waste by taking their own bags to supermarkets. Young people are aware and willing to be involved in those issues. I commend to the minister the thought that the government could put more into advertising to encourage people to reduce the burden on the natural world. It is already happening in England and other places overseas. Packaging materials are not difficult to deal with. They are unnecessary and often result in more trees being cut down than we would like.

This third group of hazardous wastes is important. Dr Ross made the point that I now emphasise about dumping stuff in the sea or burying it in the soil. We

have not mentioned in this debate something we cannot forget — that is, the fourth category, the ionisation of waste. Australia does not have much of a problem with that, but it is something from which we cannot escape.

I shall briefly mention something the bill does not deal with but that eventually we will be forced to look at more closely — that is, heat and gas waste that is now causing problems. A report this week shows that the Antarctic icecap is melting at an alarming rate. We know of the effect in past decade of gases destroying the protective ozone layer of the atmosphere. The effect of those gases returns us to the question of what we use in industry and how we dispose of it afterwards.

The bill deals with disposal but we should also look at, for example, the fact that while we use geological energy from hydrocarbons and even nuclear energy we add heat to the biosphere, whereas if we use solar energy we divert energy, which then returns without causing us trouble. Those issues must be considered seriously by Parliament in the years to come.

I will not go through the details of the bill, as they have been covered well by other members. Its aims are excellent. It is a non-controversial bill resulting from cooperation between management, government and others.

I support the bill specifically on the question of levies raised. The opposition has got it wrong when it talks of wanting to exempt this, that and the other group from the levies or parts of the levies. The levies will help handle the subject and encourage people, including local councils, to reduce waste. We must do that.

The aims of the bill are very practical. They deal with kerbside recycling and recyclable materials management, landfill levies, national environment protection measures for used packaging materials, transport and tracking of waste, landfill levies for handling hazardous waste and industry waste reduction agreements. I will not quote from the bill.

I turn briefly to deal with the future. The hour is late in dealing with wastes. In our wealthy and democratic society we need to increase our familiarity with this subject. I hope it will not be long before the government returns with another bill to tackle the next phase of the subject. The bill does a good job in dealing with delicate matters. I suspect, knowing a little about industry as I do, that the government could go out to industry more often and work with it on what can be done or what is within its capacity to deal with cooperatively. Government leads the way in these

areas. Industry is grateful for the lead and generally will go with government.

The \$10-a-tonne levy was mentioned. That is not a high figure because 600 000 tonnes of waste a year will return \$6 million a year, which is not a large sum with which to run the entire hazardous waste industry of Victoria. All honourable members should explain the bill to their constituents. The \$10 is not a large levy but can be used to good effect. I am not sure that a levy of \$10 per tonne will discourage industry from producing its present rate of waste. It may act as a signal to industry and we can spread the word further.

A second area of the bill apart from the money aspect and about which Dr Ross spoke involves the question of scientific knowledge in handling the subject. We need to press on, and the government should encourage us to solve the problem of recycling hazardous waste. We cannot ignore it and simply hope it will somehow be solved. It is all about high science, and more work needs to be done in the area.

It is not too early, either, to look at the question of gas pollutants from industry, engines, and maybe even livestock. We need to look at what is happening around us. We should also start talking about heat reduction. By the time we get further down the track, bearing in mind that the temperatures recorded in the past two years have been the highest on record — alarmingly high figures — the melting of the Antarctic icecap and the effect of destruction of the ozone layer, the need to act now is clear.

These are major matters of importance. The ozone layer will take 100 years to repair. We need to look before these things go too far. Pollution due to sewage is an old-fashioned subject. Not all Victorian cities provide adequate sewage treatment, either on the coast or inland, so we need to do something about that. Perhaps in the long run we may even need to levy a charge at the point of sale of products to help in reclamation work later.

The government is on track in the bill. I encourage it to press on and to carry the good job further. It will take a long time to complete because the level of waste is high. The reasoned amendment must be rejected not just by a vote of Parliament but by any person who reads his or her way through the subject. We cannot just walk away and say, 'We will not have more hazardous waste in Victoria'. The other matter illustrated by the reasoned amendment — I call it an unreasoned amendment — is that opposition members must improve their performance and knowledge of this subject. They should stop playing politics with the issue

or with the truthfulness and science of the situation and make a meaningful contribution to debate on what is an absolutely front-line subject of great importance.

I commend the bill and the government's work to the house. I commend the bill to the entire community. I hope its contents will be read and understood or learnt about in some other way and understood by the community. The community should come to understand that this is the sort of approach we need if we are to tackle this, the biggest challenge created by humanity in our short time on this earth.

The dinosaurs were here for 90 million years and did not destroy themselves. Homo sapiens has been here for a million years and has a good chance of destroying himself unless we face up to this subject, above all others.

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

Ayes, 30

Asher, Ms	Furletti, Mr
Ashman, Mr	Hall, Mr
Atkinson, Mr	Hartigan, Mr
Baxter, Mr	Katsambanis, Mr
Best, Mr	Knowles, Mr
Birrell, Mr	Lucas, Mr
Bishop, Mr	Luckins, Mrs
Boardman, Mr (<i>Teller</i>)	Powell, Mrs (<i>Teller</i>)
Bowden, Mr	Ross, Dr
Brideson, Mr	Smith, Mr
Cover, Mr	Smith, Ms
Craige, Mr	Stoney, Mr
Davis, Mr D. McL.	Strong, Mr
Davis, Mr P. R.	Wells, Dr
de Fegely, Mr	Wilding, Mrs

Noes, 7

Gould, Miss	Pullen, Mr
Nardella, Mr	Theophanous, Mr
Nguyen, Mr (<i>Teller</i>)	Walpole, Mr (<i>Teller</i>)
Power, Mr	

Pairs

Forwood, Mr	Eren, Mr
Hallam, Mr	Hogg, Mrs
Varty, Mrs	McLean, Mrs

Amendment negatived.

Motion agreed to.

Read second time.

Third reading

Hon. M. A. BIRRELL (Minister for Industry, Science and Technology) — By leave, I move:

That this bill be now read a third time.

I thank honourable members for their contributions, particularly government members whose comments were wide ranging and productive. I also thank Mr Nguyen for his comments, which were also valuable.

In response to matters raised by Mr Power, who asked whether low-level contaminated soil is hazardous waste, the answer is yes. Low-level contaminated soil is a prescribed waste under the Environment Protection (Prescribed Waste) Regulations 1998.

Mr Power also asked whether low-level contaminated soil is subject to the \$10 levy. The answer is yes. All prescribed wastes are subject to the levy. He then asked whether the \$10 levy is additional to the existing municipal landfill levy. The answer is no. The \$10 hazardous waste landfill levy is the only levy that will be applied to prescribed waste.

Mr Power's final substantive question was whether the government has provided industry with information on how to reuse prescribed waste. I am advised that, yes, the EPA plays a proactive role in working with industry to look for opportunities to avoid, reuse and recycle prescribed waste. The revenue raised by the \$10 landfill levy will be used to expand those programs. The government has asked the EPA to develop a new industrial waste management policy on this issue, and a draft policy is expected to be released for public comment in the middle of the year.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

WATER ACTS (AMENDMENT) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Hon. G. R. CRAIGE (Minister for Roads and Ports).

BUSINESS OF THE HOUSE

Adjournment

Hon. R. I. KNOWLES (Minister for Health) — I move:

That the Council, at its rising, adjourn until Tuesday, 4 May.

Motion agreed to.

ADJOURNMENT

Hon. R. I. KNOWLES (Minister for Health) — I move:

That the house do now adjourn.

TAC: staff

Hon. M. M. GOULD (Doutta Galla) — I refer the Minister for Industry, Science and Technology to a leaked TAC report dated 15 January entitled *Career Paths and Promotional Opportunities*, which refers to the restructure of the TAC law department. It states:

... some staff may be required to be sent to the abattoirs ... some may be required to be reprogrammed and may need to be sent to the gulag.

The document also suggests that management must be seen to be proactive in dealing with people who are sent to the gulag, and refers to the TAC's law vision statement for court values, which are identified as honesty, integrity, innovation, respect for individuals and communication. They seem to be outrageous comments for the TAC to make about its staff in a document. I ask the minister whether he supports the use of that language in the document.

Hon. M. A. Birrell — What is the status of the document?

Hon. M. M. GOULD — It is a document from the TAC.

Hon. M. A. Birrell — Says who?

Hon. M. M. GOULD — Says the chief executive officer, John Lees. Mr Lees acknowledges that the document on restructuring of the law department of the TAC was put out by the TAC. I ask the minister whether he supports the usage of such language to describe potential staff terminations in the TAC, or for that matter in any company?

Taxis: M50

Hon. PAT POWER (Jika Jika) — I seek the assistance of the Minister for Roads and Ports on M50 taxis, an issue with which I am sure he is familiar. On at least two occasions that I know of the minister has corresponded with Dr Harry New of East St Kilda, who is a quadriplegic as a consequence of contracting multiple sclerosis. Dr New has raised concerns about the taxi services provided for disabled people in general.

Although Dr New acknowledges that when he has raised the matter directly with the government the Minister for Roads and Ports has responded sympathetically, in correspondence to me dated 19 March he said that for him the reliability of the availability of M50 taxis booked through the central booking service has not improved. I ask the minister if he could again consider Dr New's circumstances sympathetically and respond to his concerns.

Roads: St Albans rail crossing

Hon. T. E. EREN (Doutta Galla) — I raise with the Minister for Roads and Ports the government's continued failure to take proper measures on the dangers of using a level crossing in St Albans, and ask him to direct the matter to the Minister for Transport in another place.

The matter has been brought to the government's attention many times yet it chooses to ignore it. Although my colleague George Seitz, the honourable member for Keilor in another place, has consistently raised his concerns in the other house demanding action to protect local residents, the government keeps turning a deaf ear.

I regularly travel along the road concerned and know that when the railway gates at the level crossing come down people are sometimes kept waiting for up to 23 minutes. Local businesses and residents are concerned that if the problem is not rectified jobs in the region will be lost. They are also concerned about the safety of and delays that may be caused by the future electrification of the rail line to Sydenham.

The problem I have referred to is bad enough at normal times, but the extra traffic and congestion that occurs during the Brimbank and Vietnamese New Year festivals is even worse. Recently a tragedy occurred in the area when a Keilor Downs teenager was needlessly killed at the Sydenham railway station. I urge the minister to treat this as a matter of urgency before other needless deaths occur at St Albans.

Essendon hospital

Hon. D. T. WALPOLE (Melbourne) — I raise with the Minister for Health the government's closure of the Essendon hospital, which in October 1998 was part of the North Western Health Care Network. The minister promised the public there would be replacement health services in the area. Six months later no tender for the hospital has been let, despite its having closed in February, and no funding has been allocated for health services in the area.

Will the minister inform the house if and when the people of the Essendon and Moonee Ponds areas will be provided with the services he promised, and provide advice on the current position with the sale of the hospital?

Banks: closures

Hon. D. A. NARDELLA (Melbourne North) — I raise with the Minister for Small Business the 55 small businesses in The Mall shopping centre at Heidelberg West, many of which are shops, that are currently battling against the establishment of a pokies gambling den at the notorious former Colosseum Hotel site. There is now another threat to the viability of those businesses — the closure of the last remaining bank branch in the area, the Heidelberg West branch of the Commonwealth Bank. The ANZ bank branch closed 12 months ago and the Westpac branch closed a few years before.

The honourable member for Ivanhoe in the other place, Craig Langdon, wrote to the Commonwealth Bank about the closure. He received the following response by Mr Frank Rosbrook, the regional manager. It states:

Firstly, I can assure you that the bank is not considering closure of this branch in the current financial year. However, you would appreciate, we must act responsibly on behalf of our shareholders and as such are obliged to regularly review performance of all aspects of our business. This branch is not exempt from that process. Accordingly I am not in a position to provide any long-term assurances about the nature and extent of branch representation in the area.

If the local branch closes the small business owners and local residents, many of whom are elderly, may be forced to travel to another branch. If they travel by car they will have to find car parking and wait in queues before travelling back again. Many small business owners are not in a position to close their businesses every day for the 40 to 45 minutes that would be needed for them to do their banking. Both residents and small business owners have expressed their strong desire for the last branch in the area to remain open. The small business owners have told their local campaigner, Mr Langdon, that the flow-on effect of the bank closure would have deleterious effects on their customers.

I ask the Minister for Small Business to hold discussions with the Commonwealth Bank and urge it to keep open the Heidelberg West bank branch for the small businesses and residents of Heidelberg West and west Ivanhoe.

Juvenile justice: Werribee

Hon. S. M. NGUYEN (Melbourne West) — My question is directed to the Minister for Health as the minister representing the Minister for Youth and Community Services in another place.

I was recently approached by a number of concerned parents about a lack of any juvenile justice facilities or programs at Werribee. At present juveniles face a 2-hour trip by public transport from Werribee to Sunshine. That reduces the effectiveness of programs for juveniles from Werribee and forces them to complete their programs without the support of their families and local community. As one parent said, 'It is impossible to support the kids by remote control'.

I understand that juvenile justice facilities are regionally based, but that should not prevent the rehabilitation programs from being placed in the communities where there is the most need. Werribee has 80 000 residents, 42 per cent of whom are under the age of 24, and the region remains one of the major growth corridors of Melbourne.

I ask the minister why there are no juvenile justice programs in that area and whether the government will address the problem.

Bealiba: wood supplies

Hon. C. J. HOGG (Melbourne North) — The issue I direct to the attention of the Minister for Industry, Science and Technology, who represents the Minister for Conservation and Land Management in another place, has been raised by the Bealiba Progress Association. The association is concerned about wood being made available from Tunstalls Forest, which is Crown land near Bealiba. About two years ago some timber was felled in the forest and last year approximately 100 square metres was sold to Bealiba residents for domestic use. The residents understood that all of the wood was for local domestic use but now the department has called for tenders to sell off the rest of the timber.

The minister will appreciate that this is causing some anxiety as currently there are few other suitable supplies of wood in that area, which is home to a number of elderly people and pensioners who cannot afford to buy wood from a commercial wood carter. I ask the minister to ask his colleague what she can do to alleviate a distressing situation.

Northern Hospital

Hon. T. C. THEOPHANOUS (Jika Jika) — The matter I raise for the attention of the Minister for Health is detailed in some correspondence I received from a constituent. The person involved wants to remain anonymous but I am happy to make the name available to the minister privately. The person, who lives in Thornbury, raises some issues relating to the closure of the Preston and Northcote Community Hospital. The person says:

Late last year my mother became very ill and was taken to the new Northern Hospital by ambulance where she spent 40 hours on a trolley in the emergency ward as there were no beds available.

The letter goes on:

I live in the corridor between St Georges Road and High Street and whenever a house on a large block is sold, a developer usually buys it and builds either a block of flats or town houses, mostly they are for older people that move in, and they often don't drive, as they are close to public transport. So where we had one or two older people we now have at least eight, swelling the numbers in the district that can require minor surgery and outpatient's treatment.

The letter goes on to say that for this person:

It takes at least one hour to get to the Northern or Austin and repat hospitals by public transport, as you have to change from tram to bus or train to bus.

The letter asks that something be done about the situation. In light of the letter I ask the minister, firstly, whether he considers it is acceptable that a patient can wait for 40 hours on a trolley at the Northern Hospital, and secondly, whether he looked at demographic trends when making his decisions. With higher density housing the demand for facilities in Northcote, Preston and Thornbury is likely to increase in the future, placing even more pressure on the Northern Hospital, as is claimed by the writer.

Smoke alarms

Hon. B. T. PULLEN (Melbourne) — I raise for the attention of the Minister for Health the installation of smoke alarms, which has become mandatory for people in Victoria since 1 February. I realise that the requirement stems from an action of the minister with another portfolio, but whereas most people can respond to that good safety requirement by purchasing a battery-operated smoke alarm from a hardware shop or elsewhere for about \$25, I understand that people who are profoundly hearing impaired need a special fitting that has to be wired in because it requires more power and strobe lighting. The cost is in the order of \$300 to \$1000.

Has the government considered providing assistance to people in such a situation? Often their condition coincides with being on a pension or fixed income. The mandatory requirement can put quite an imposition on a person on a fixed income. Although, as I said, the requirement stems from another portfolio, I ask that the minister consider providing some assistance to hearing-impaired people. I do not know the numbers of people involved — there may not be many, but it is quite a hardship for people in that situation.

Small business: expos

Hon. B. W. BISHOP (North Western) — I raise a matter for the attention of the Minister for Small Business. Some time ago small business expos were conducted at Mildura and Bendigo, and I note that they are coming up again in the next couple of months. They were hugely successful last time and well attended by all sectors of small business; many people came to listen to the excellent guest speakers and learn. I ask the minister whether she has any reports on the success of small business expos and the ongoing links and opportunities they provide to the small business sector.

Responses

Hon. M. A. BIRRELL (Minister for Industry, Science and Technology) — The Leader of the Opposition made allegations about the contents of a document on career paths that apparently came from the Transport Accident Commission. I will refer the matter to the minister responsible — that is, the Treasurer — for his reply.

Mrs Hogg raised with me in my capacity as representative of the Minister for Conservation and Land Management a matter relating to Tunstalls Forest timber and concerns that have been drawn to her attention. I will convey those concerns to the minister for her response.

Hon. R. I. KNOWLES (Minister for Health) — Mr Walpole raised with me the issue of health services in the City of Moonee Valley following the closure of the Essendon hospital. The government is working with the city to identify what services can be practically delivered. We are looking at the redevelopment of community health services at the Dousta Galla Community Health Centre. I have no doubt that we will work through those issues to ensure there is a good outcome for all those residents.

Mr Nguyen raised with me a matter for referral to the Minister for Youth and Community Services. He asked for juvenile justice programs to be established in the

Werribee area. I will pass on that request and ask the minister to respond to him directly.

Mr Theophanous raised with me a matter referred to by a constituent from the Thornbury area who expressed concern that someone close to the person had experienced a 40-hour wait for service in the emergency department of the new Northern Hospital at Epping. That is unacceptable. I am happy to investigate it and find out the reasons for it, as we have benchmarks that require people to receive treatment within a shorter time frame than that. I will be happy to follow that through.

Hon. T. C. Theophanous — What about the changes in the demography in that area, with more people coming in, which is increasing the ageing population, as was stated?

Hon. R. I. KNOWLES — That is what is informing all of our planning, because we are going through significant demographic changes in society and it tends to be fairly general. With increased longevity, most communities now have a much larger ratio of older people than before. That trend will continue until about 2020, when the number will peak. By that stage about 25 per cent of the population will be in the older age bracket. That knowledge is informing all —

Hon. T. C. Theophanous — I am talking about the increase in housing density in Australia.

Hon. R. I. KNOWLES — All of that information informs our planning policy.

Hon. T. C. Theophanous — So you have looked at it?

Hon. R. I. KNOWLES — Absolutely, in contrast to former governments. The government is considering population movements, demographic structures and the health needs of communities in the context of such changes. That information informs all of the government's decision-making in health service delivery.

The honourable member will be delighted to learn that this is the first government to factor in those changes in planning decisions, and it will continue to do so. I am happy to take on board his suggestion that the government consider that information — yes, the government is doing that and, yes, it will continue to do so.

Mr Pullen referred to smoke alarms, which are now compulsory following government changes to building controls. He raised a legitimate concern about the way

alarms are installed for the hearing impaired. I am happy to take his concern on board and look at the means by which the matter might be responded to in detail.

Hon. B. T. Pullen — I think the concern has been raised with the other responsible minister; it is a coordination issue.

Hon. R. I. KNOWLES — I am happy to acknowledge that the policy is right, but perhaps the government will have to look at how application is ensured across the sector. I will take the matter on board.

Hon. G. R. CRAIGE (Minister for Roads and Ports) — The Honourable Pat Power raised with me a complaint relating to high-occupancy taxis, and in particular M50 services, made by a member of that program, Dr Harry New from East St Kilda. It is important to make it clear that far fewer complaints are made about the service today than was the case 10 years ago, particularly about the M50 taxis. Last Christmas nearly every person in the program was provided with the required transport on Christmas Day. While some issues might arise, the rest of the people in the program should not be disturbed by such matters. The program is working extremely well.

I assure the honourable member the government has worked tirelessly to ensure reliability in the provision of M50 taxis. One comforting point to note is that an additional 100 high-occupancy vehicles are now required to be fitted out to take people in wheelchairs who belong to the program. The government believes that will enhance the efficiency and reliability of the service. I am happy to take on board any individual complaints and pursue them with all the energy I have to ensure that issues continue to be resolved.

The Honourable Tayfun Eren asked me to refer a matter to my colleague the Minister for Transport in another place. He indicated that people wait up to 23 minutes at a level crossing at St Albans. I accept that that is the case, as that is what Mr Eren stated in the house. I assure him that is an unacceptable wait at a level crossing, and something certainly has to be done about it. I will refer to the minister in another place Mr Eren's concerns about traffic congestion in the area and other issues arising at that intersection, including the waiting time of 23 minutes.

Hon. LOUISE ASHER (Minister for Small Business) — The Honourable Don Nardella raised the closure of a Commonwealth Bank branch in Heidelberg West. He has previously raised the issue of bank

closures in the house and I have made it clear to him that I do not have ministerial responsibility for banks. I have responsibility for small businesses but not for the banking sector.

I am advised that in Burgundy Street and Upper Heidelberg Road, Heidelberg, the following banks are represented: the ANZ, the NAB, the Bank of Melbourne and the Commonwealth Bank. There is still a Commonwealth Bank in the area. I advise Mr Nardella to speak to the small businesses concerned and suggest it may assist them to consider using other banks in the area.

The Honourable Barry Bishop raised with me regional business expos. Last year in Bendigo some 2000 people attended the Bendigo Business Expo, and 1000 people attended the Mildura Business Expo. This year three business expos will be held in country areas: the Bendigo Business Expo from 4 to 5 May, the Mildura Business Expo from 11 to 12 May and the Gippsland Business Expo from 25 to 27 May.

Those expos provide a great opportunity for small businesses to showcase their wares to others in the broader area. There is an opportunity for an exchange of information and ideas between businesses through displays and for individuals to talk to experts, enabling small businesses to get results.

Motion agreed to.

House adjourned 10.48 p.m. until Tuesday, 4 May.

**Joint Sitting of the Legislative Council and the
Legislative Assembly**

Wednesday, 21 April 1999

Victorian Health Promotion Foundation

**Honourable members of both houses assembled at
6.01 p.m.**

The CLERK — Before proceeding with the business of this joint sitting it will be necessary to appoint a President of the joint sitting.

Mr HONEYWOOD (Minister for Tertiary Education and Training) — I move:

That the Honourable Bruce Anthony Chamberlain, MLC, President of the Legislative Council, be appointed President of this joint sitting.

Mr BRACKS (Leader of the Opposition) — I second the motion.

Motion agreed to.

The PRESIDENT — I thank honourable members for the confidence reposed in me. The first item of business is the procedure for the adoption of the rules of the sitting.

Mr HONEYWOOD (Minister for Tertiary Education and Training) — Mr President, I desire to submit the rules of procedure, which are in the hands of honourable members, and I accordingly move:

That these rules be the rules of procedure for this joint sitting.

Mr BRACKS (Leader of the Opposition) — I second the motion.

Motion agreed to.

The PRESIDENT — The rules having been adopted, I am now prepared to receive nominations from honourable members with regard to two members to be elected to the Victorian Health Promotion Foundation for a three-year term commencing on 23 May 1999.

Mr HONEYWOOD (Minister for Tertiary Education and Training) — I propose:

That the Honourable Gerald Barry Ashman, MLC, and Janet Tindale Calder Wilson, MLA, be recommended for election as members of the Victorian Health Promotion Foundation.

I understand they are willing and able to accept the appointments if chosen.

Mr BRACKS (Leader of the Opposition) — I second the proposal.

The PRESIDENT — Order! Are there any further nominations?

As there are only two nominations I declare that the Honourable Gerald Barry Ashman, MLC, and Janet Tindale Calder Wilson, MLA, have been elected as members of the Victorian Health Promotion Foundation for a three-year term commencing on 23 May 1999.

There being no further business I now declare the joint sitting closed.

Proceedings terminated 6.05 p.m.

QUESTIONS ON NOTICE

Wednesday, 21 April 1999

COUNCIL

319

QUESTIONS ON NOTICE

Answers to the following questions on notice were circulated on the date shown.

Questions have been incorporated from the notice paper of the Legislative Council.

Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.

The portfolio of the minister answering the question on notice starts each heading.

Wednesday, 21 April 1999

Agriculture and Resources: ministerial expenses

1462. THE HON. M. M. GOULD — To ask the Honourable the Minister for Roads and Ports (for the Honourable the Minister for Agriculture and Resources): In relation to the 1997-98 financial year, what expenses were incurred by the Minister or the Minister's Office, indicating the amounts expended on — (i) credit card expenditure; (ii) alcohol; (iii) entertainment; (iv) travel allowance and incidental expenses; (v) domestic travel; (vi) international travel; (vii) charter travel; (viii) office salaries; (ix) accommodation expenses; (x) car hire; and (xi) general office expenses.

ANSWER:

I am informed that:

ITEM	DESCRIPTION	1997/98
(i)	Credit card expenditure <i>[Includes expenditure also accounted for in item (iv) and (ix)]</i>	\$18,177.00
(ii)	Alcohol	\$2,322.95
(iii)	Entertainment <i>[Entertainment is recorded as expenditure on major social functions borne by Minister's office budget]</i>	\$3,451.80
(iv)	Travel allowance and incidental expenses <i>[Includes international travel allowance and incidentals. Incidental expenses and accommodation expenses are combined in one accounting code and included in item (i).]</i>	\$40,985.92
(v)	Domestic travel	\$19,264.00
(vi)	International travel	\$8,998.20
(vii)	Charter travel	\$95,487.00
(viii)	Office salaries	\$491,443.00
(ix)	Accommodation expenses <i>[see (iv) above]</i>	See note
(x)	Car hire	\$19,635.00
(xi)	General office expenses	\$89,053.00

Treasurer: Transport Accident Commission salaries and expenses

1496. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In relation to the Transport Accident Commission for the period 1 April to 30 June 1996 and for the 1996-97 and 1997-98 financial years, what did the Commission spend on — (i) executive salaries; (ii) travel; (iii) consultancies; (iv) administration salaries; and (v) its internal media or public relations unit.

ANSWER:

I am informed that:

Details of the operations of the Transport Accident Commission are found in its Annual Reports.

Treasurer: Victorian Funds Management Corporation salaries and expenses

1497. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In relation to the Victorian Funds Management Corporation for the period 1 April to 30 June 1996 and for the 1996-97 and 1997-98 financial years, what did the Corporation spend on — (i) executive salaries; (ii) travel; (iii) consultancies; (iv) administration salaries; and (v) its internal media or public relations unit.

ANSWER:

I am informed that:

Details of the operations of the Victorian Funds Management Corporation are found in its Annual Reports.

Treasurer: Rural Finance Corporation salaries and expenses

1498. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In relation to the Rural Finance Corporation for the period 1 April to 30 June 1996 and for the 1996-97 and 1997-98 financial years, what did the Commission spend on — (i) executive salaries; (ii) travel; (iii) consultancies; (iv) administration salaries; and (v) its internal media or public relations unit.

ANSWER:

I am informed that:

Details of the operations of the Rural Finance Corporation are found in its Annual Reports.

Treasurer: Melbourne Port Corporation salaries and expenses

1499. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In relation to the Melbourne Port Authority for the period 1 April to 30 June 1996 and for the 1996-97 and 1997-98 financial years, what did the Authority spend on — (i) executive salaries; (ii) travel; (iii) consultancies; (iv) administration salaries; and (v) its internal media or public relations unit.

ANSWER:

I am informed that:

Details of the operations of the Melbourne Port Authority are found in its Annual Reports.

Treasurer: electricity industry leaflet

1722. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In respect of the leaflet *So the electricity industry has changed: I'm the customer. What's in it for me- A quick guide for customers using over 160 megawatt hours of electricity a year*, produced by the Office of the Regulator-General, what are the details of the leaflet, indicating — (i) details of distribution, including numbers and costs paid; (ii) the numbers printed; (iii) the total cost of production; (iv) by whom it was printed; and (v) whether tenders were called.

ANSWER:

I am informed that :

Leaflet

No. Printed: 12000

Printer: Harry Simon & Associates

Cost: Part of the overall cost for Questions 1722 - 1725. (Overall Cost \$36290)
Leaflet was produced as part of a complete education campaign for 160W tranche of electricity customers (Questions 1722 - 1725 refer to same)

Treasurer: open letter to electricity customers

1723. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In respect of the open letter *Important message for electricity customers*, written by the Regulator-General, what are the details of the letter, indicating — (i) details of distribution, including numbers and costs; (ii) the numbers printed; (iii) the total cost of production; (iv) by whom it was printed; and (v) whether tenders were called.

ANSWER:

I am informed that :

Leaflet
No. Printed: 12000
Printer: Harry Simon & Associates
Cost: Part of the overall cost for Questions 1722 - 1725. (Overall Cost \$36290)
Leaflet was produced as part of a complete education campaign for 160W tranche of electricity customers (Questions 1722 - 1725 refer to same)

Treasurer: Regulator-General reply form

1724. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In respect of the form *Reply form 160 MWh/yr customers*, produced by the Office of the Regulator-General, what are the details of the form, indicating — (i) details of distribution, including numbers and costs; (ii) the numbers printed; (iii) the total cost of production; (iv) by whom it was printed; and (v) whether tenders were called.

ANSWER:

I am informed that :

Leaflet
No. Printed: 12000
Printer: Harry Simon & Associates
Cost: Part of the overall cost for Questions 1722 - 1725. (Overall Cost \$36290)
Leaflet was produced as part of a complete education campaign for 160W tranche of electricity customers (Questions 1722 - 1725 refer to same)

Treasurer: Choice of electricity retailer

1725. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In respect of the booklet *Choice of electricity retailer*, produced by the Office of the Regulator-General, what are the details of the booklet, indicating — (i) details of distribution, including numbers and costs paid; (ii) the numbers printed; (iii) the total cost of production paid; (iv) by whom it was printed; and (v) whether tenders were called.

ANSWER:

I am informed that :

Leaflet

No. Printed: 12000

Printer: Harry Simon & Associates

Cost: Part of the overall cost for Questions 1722 - 1725. (Overall Cost \$36290)

Leaflet was produced as part of a complete education campaign for 160W tranche of electricity customers (Questions 1722 - 1725 refer to same)

Treasurer: Regulator-General information kit

1726. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In respect of the Information Kit produced by the Office of the Regulator-General, which included the leaflet *Office of the Regulator-General- What is it. What does it do.* and Fact Sheets Numbers 1 to 7, what are the details of the Information Kit, indicating — (i) details of distribution, including numbers and costs paid; (ii) the numbers printed; (iii) the total cost of production paid; (iv) by whom it was printed; and (v) whether tenders were called.

ANSWER:

I am informed that :

Fact Sheets

No. Printed: 7x 1000

Printer: Mercury Printeam

Cost: \$2272

Premier: marketing government services staff

1729. THE HON. M. M. GOULD — To ask the Honourable the Minister for Industry, Science and Technology (for the Honourable the Premier): In relation to each department or agency within the Premier's portfolio, what are the details of all persons and costs associated with public relations, media relations or marketing, as defined in the Auditor-General's Special Report No. 39, *Marketing Government Services*, indicating — (i) how many persons are involved in marketing government services (including those involved in media or public relations) in each department or agency; and (ii) the total cost, including salaries, for the provision of such marketing services for the 1998-99 financial year.

ANSWER:

I am informed that:

For 1998/99 the media unit is funded for 15 positions and expenditure of the unit for the period July to March is \$709,499. The time and resources required to provide further information cannot be justified.

Premier: Multicultural Victoria Inquiry

1746. THE HON. M. M. GOULD — To ask the Honourable the Minister for Industry, Science and Technology (for the Honourable the Premier): What actions have State Government departments made during the 1997-98 financial year to implement recommendations 13, 82 and 93 of the *Multicultural Victoria Inquiry* (1996).

ANSWER:

I am informed that:

The Victorian Multicultural Commission (VMC) is currently engaged in a review of the Government Response to the Multicultural Victoria Inquiry (1996). As part of the review, government agencies are reporting on the

implementation of the range of recommendations made in the Inquiry. The review is expected to be completed later this year. It is expected this will include reference to recommendations 13, 82 and 93.

Premier: Queensland election visit

1768. THE HON. M. M. GOULD — To ask the Honourable the Minister for Industry, Science and Technology (for the Honourable the Premier): In relation to the Premier's visit to Queensland during the Federal Election what was the total amount expended on — (i) travelling; (ii) accommodation; (iii) food; (iv) alcohol; (v) other expenses; and (vi) what was the total cost of the trip.

ANSWER:

I am informed that:

- (i) \$3,409.60
- (ii) \$892.00
- (iii) \$168.70 (all other meals were provided at official functions)
- (iv) nil
- (v) \$8.00 (telephone calls)
- (vi) \$4,478.30

Education: contract teachers, Mitcham

1804. THE HON. M. M. GOULD — To ask the Honourable the Minister for Health (for the Honourable the Minister for Education): What proportion of teachers working at schools in the electoral district of Mitcham on 20 October 1998 were employed on a contract basis.

ANSWER:

I am informed as follows:

The Department of Education does not keep this information in this format. To answer this question would require an inordinate amount of time and resources.

Currently 13% of teaching staff are employed for fixed term periods. Of these 36% are employed for a period of one year or more.

Education: Vocational Education and Training program

1810. THE HON. M. M. GOULD — To ask the Honourable the Minister for Health (for the Honourable the Minister for Education): In relation to the Vocational Education and Training (VET) program — (i) how many students were enrolled in this program in government schools for 1996, 1997 and 1998; (ii) what is the average fee being paid by these students to enrol in these courses; (iii) what are the funding guidelines and details to assist schools to support these programs for 1996, 1997, 1998 and 1999; and (iv) what is the total amount of funding provided to schools for this program for 1996, 1997, 1998 and 1999.

ANSWER:

I am informed as follows:

QUESTIONS ON NOTICE

324

COUNCIL

Wednesday, 21 April 1999

- (i) 1996 - 2822
1997 - 7674
1998 - 8813
- (ii) The Department of Education does not collect details relating to any contributions paid by students to enrol in these courses.
- (iii) The Joint Ministerial Statement on VET in Schools was released in August 1996. It outlined the Victorian Government's commitment to expand and enhance the opportunities for Years 11 and 12 students to undertake Vocational Education and Training programs and to provide \$10 million over four years. This funding enables a doubling of enrolments (from 3600 VCE students in 1996) in VET in Schools programs over the next four years. Later in 1996 the Commonwealth Government announced the availability of \$80 million nationally to be provided by the Australian National Training Authority (ANTA) for government and non-government schools over the same period.

Detailed advice has been provided to schools concerning VET in Schools funding arrangements to apply for each school year beginning in 1997. Generally these funds are provided as a contribution towards the purchase of specific resources such as off-the-job training, professional development and training, registration, program planning and the purchase of course materials.

- (iv) Funds were allocated but not applied to support the program in 1996; the 1996-97 State budget allocation was first provided in the 1997 school year, together with the funding provided through ANTA.

	State (per financial year)	ANTA (per calendar year)	Total
1997	\$4.0m	\$4.634m	\$8.634m
1998	\$2.0m	\$4.634m	\$6.634m
1999	\$2.0m	\$4.601m	\$6.601m

Treasurer: benchmark newsletter

- 1815. THE HON. M. M. GOULD** — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): What are the details of *Benchmark: A Newsletter from Policy and Management Reform Branch for the Victorian Public Sector*, indicating for each issue the — (i) date; (ii) details of distribution, including numbers and cost; (iii) number printed; and (iv) total cost of production.

ANSWER:

I am informed that:

- (i) 20 Issues
- (ii) 3,000 copies produced for last issue (January 1999)
- (iii) Cost was \$7,156 total for January 1999 issue.

Finance: Converge Multimedia Victoria 21

- 1817. THE HON. M. M. GOULD** — To ask the Honourable the Minister for Finance (for the Honourable the Minister for Information Technology and Multimedia): What are the details of issues 1 to 4 of *Converge Multimedia Victoria 21* newsletter, indicating for each issue the — (i) date; (ii) details of distribution, including numbers and cost; (iii) number printed; and (iv) total cost of production.

ANSWER:

The question has been incorrectly asked of me as the representative of the Honourable the Minister for Information Technology and Multimedia. The Honourable the Minister for Industry, Science and Technology is the representative of the Honourable the Minister for Information Technology and Multimedia and the question should be directed accordingly.

Treasurer: engineering program guide

1820. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In relation to the *en VISION 98 National Engineering Forum program guide* advertising the forum at the Crown Towers from 25 to 27 October 1998, what was the total government contribution to advertising of this program.

ANSWER:

I am informed that :

en VISION does not fall within the Treasurer's Portfolio.

The Minister for Industry Science and Technology has direct responsibility for this program.

Planning and Local Government: *Municipal Fact Sheet Series — Residential Development*

1823. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Minister for Planning and Local Government): In relation to the *Municipal Fact Sheet Series - Residential Development (April 1998)* for Melbourne's Local Government areas — (i) what were the total advertising and public relations costs for the fact sheet series; (ii) what was the cost of printing and distribution of the fact sheet series; (iii) how many fact sheet series were printed and distributed; and (iv) were tenders called.

ANSWER:

The answer supplied by the Minister for Planning and Local Government is:

I refer the Honourable Member to the answer provided in Question No.1678 in the Legislative Council, tabled on 11 November 1988 (Hansard Vol. 4, page 794).

[Hansard Reference: Legislative Council, Vol 441, 11 November 1998, page 794]

Treasurer: *Energy Efficiency Victoria News*

1835. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): What are the details of all issues of the *Energy Efficiency Victoria News* newsletter produced, indicating — (i) how many issues were produced; (ii) the date of each issue; (iii) details of distribution, including numbers and cost; (iv) the number printed; (v) the cost of production; (vi) the name of the printer; and (vii) were tenders called.

ANSWER:

I am informed that :

Energy Efficiency Victoria News is a publication produced by Energy Victoria. It does not fall within the Treasurer's Portfolio.

The Minister for Agriculture and Resources has direct responsibility for this program.

Treasurer: State Trustees litigation costs

1837. THE HON. C. J. HOGG — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): What was the amount of the litigation costs borne by State Trustees' on behalf of clients referred to it by the Guardianship and Administration Board in each financial year from 1990-91 to 1997-98.

ANSWER:

I am informed that:

Only total unrecovered litigation costs are listed (all areas):

Listed is an estimate of the amount that relates to VCAT/Guardianship matters as a proportion of the total:

	1994/95	1995/96	1996/97	1997/98
GAB(est)	36000	37000	44700	54300

Precise figures for some years not available.

Treasurer: leased properties and buildings

1850. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In relation to the properties and buildings leased or owned by all agencies and statutory bodies within the Department of Treasury and Finance — (i) what is the address of each property or building owned by the Department or body and what is its purpose; and (ii) what is the address of each property or building leased by the Department or body and what is its purpose.

ANSWER:

I am informed that:

The Department of Treasury and Finance and the agencies and statutory bodies funded by the Department own or lease a considerable number of separate buildings and other facilities. Data regarding these buildings and facilities is not kept in the format you seek. Accordingly, the time and resources required to prepare the detailed response sought are not warranted.

Arts: Castlemaine library

1853. THE HON. C. J. HOGG — To ask the Honourable the Minister for Industry, Science and Technology (for the Honourable the Minister for the Arts): In relation to his election promise of 15 March 1996 to construct a new library at Castlemaine, when will funding be made available for construction.

ANSWER:

I am informed that:

This is not the portfolio responsibility of the Minister for the Arts.

Treasurer: first home buyers stamp duty

1854. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): In relation to stamp duty exemptions for first home buyers — (i) what is the number of home buyers who successfully applied for this exemption for the 1995-96, 1996-97 and 1997-98 financial years; (ii) what is the number of home buyers who unsuccessfully applied for this exemption for the 1995-96, 1996-97 and 1997-98 financial years; (iii) what is the breakdown of successful applicant by suburb; and (iv)

QUESTIONS ON NOTICE

Wednesday, 21 April 1999

COUNCIL

327

what was the value of foregone revenue as a result of this scheme for the 1995-96, 1996-97 and 1997-98 financial years.

ANSWER:

I am informed that:

- (i) The number of successful applicants for the first-home buyers concession are as follows:

1995-96	568
1996-97	1,966
1997-98	2,130

- (ii) There is no available information on the numbers of unsuccessful applicants. Accessing this information would involve excessive resources.
- (iii) There is no available information on the postcodes of successful applicants under the scheme. Accessing this information would involve excessive resources.
- (iv) Revenue foregone under the stamp duty concession is as follows:

1995-96	\$0.925 million
1996-97	\$2.813 million
1997-98	\$3.267 million

Treasurer: first home buyers stamp duty

1855. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): What was the value of stamp duty paid by first home buyers to the State Government for the 1995-96, 1996-97 and 1997-98 financial years.

ANSWER:

The State Revenue Office does not keep figures on the amounts of stamp duty paid to the Victorian Government by those first home buyers who do not qualify for a stamp duty exemption or concession.

Education: integration assistance

1896. THE HON. M. M. GOULD — To ask the Honourable the Minister for Health (for the Honourable the Minister for Education): In relation to integration assistance for students in government schools:

- (a) What funding and staffing support was provided in the 1995-96, 1996-97 and 1997-98 financial years, respectively.
- (b) What has been the process for assessing eligibility for integration assistance in 1998, indicating — (i) what role guidance officers and psychologists have played in establishing assessment criteria; and (ii) what review process and criteria have been followed for the allocation of funding.
- (c) What was the number of applications for integration assistance — (i) in total; and (ii) by region.
- (d) What was the number of successful applications — (i) in total; and (ii) by region.

ANSWER:

I am informed as follows:

QUESTIONS ON NOTICE

328

COUNCIL

Wednesday, 21 April 1999

- (a) In 1995, the Department of Education reorganised the diverse supports to students with disabilities and impairments into a single program, the Program for Students with Disabilities and Impairments which incorporated support to students in mainstream and specialist (special and special developmental) schools.

Since 1995 under Schools of the Future, all schools (mainstream and specialist) receive an annual budget based on the academic years. Funding from 1995 incorporates all Global Budget funding for specialist schools and funding provided in the Disabilities and Impairments component of the budget for mainstream schools.

Program for Students with Disabilities and Impairments Expenditure 1996-1998

1996 \$000's	1997 \$000's	1998 \$000's
178,609	186,776	249,700*

*Note: Expenditure includes specialist school transport and on-costs.

- (b) The process for assessing eligibility for additional assistance from the Program for Students with Disabilities and Impairments is detailed in the handbook for the Program for Students with Disabilities and Impairments which is provided to every school and is available to parents of new students or students being reappraised. The process involves the principal of a school assembling evidence of disability or impairment against criteria as outlined in the handbook.

There are different eligibility criteria for each of the seven areas of disability. Once assembled, the principal of the school forwards this evidence along with the application to a central Resource Coordination Group for consideration of the evidence provided against the published criteria. The Resource Coordination Group consists of central and regional officers with expertise in the area of student disability. If the evidence provided meets the criteria, the student is deemed eligible for additional support under the Program for Students with Disabilities and Impairments.

- (i) The criteria for each of the seven areas of disability for the program were developed by expert working parties of professionals for each area. They were requested to provide expert current advice on the appropriateness of the criteria and the assessment methodologies required to establish eligibility against the World Health Organisation definitions of the areas as outlined in the publication *International Statistical Classification of Diseases and Related Health Problems*. Where expert advice from psychologists or guidance officers was required, senior members of that profession have been used.
- (ii) The amount of funding allocated to a school is based on an Educational Needs Questionnaire which is completed jointly by the parents of the student and the principal of the school and forwarded with the application. This Educational Needs Questionnaire has a number of indicators of educational need which when used with a complex formula, developed by the University of Melbourne, determines the additional resources provided to a school. These additional resources range from Level 1 (\$3,675) to Level 6 (\$28,060).

All schools have the right to seek a reappraisal where it is believed that the allocation as determined by the outcome of the student appraisal process will not meet the student's educational program requirements because of a change in the educational needs of the student from the time of the original application. Similarly, a school can submit a reapplication for the program where relevant information not provided with the initial application becomes available.

- (c) and (d)

Applications By Region	Applications where the evidence provided satisfies the criteria for the Program	Applications where the evidence provided does not meet the criteria for the Program	Total
Barwon-South Western	120	29	149
Central Highlands-Wimmera	56	24	80

Electorate	School Name
Dandenong North	Waverley Park PS*
Dandenong North	Wellington PS*
Oakleigh	Amstel PS*
Oakleigh	Murrumbeena SC*
Prahran	Hawksburn PS
Prahran	Prahran SC*
Frankston East	Karingal SC*
Ballarat East	Ballarat East PS*
Ballarat East	Ballarat (Richards St) PS*
Ballarat East	Clarendon PS
Ballarat East	Eureka PS*
Ballarat East	Glenlyon PS
Ballarat East	Golden Point PS*
Ballarat East	Korweinguboorra PS
Ballarat East	Little Hampton PS*
Ballarat East	Millbrook PS
Ballarat East	Mount Wallace PS
Ballarat East	Musk PS
Ballarat East	Yendon PS
Narracan	Erica PS
Narracan	Neerim East PS*
Narracan	Moe SC*
Narracan	Trafalgar East PS
Narracan	Warragul West PS*
Narracan	Yallourn SC*
Geelong	Geelong North PS*
Geelong	Geelong PS
Tullamarine	Bulla PS

There were no school site closures in the electorates of Ballarat West, Carrum or Eltham during this period.

*School closed due to amalgamation.

(b) \$34,183,210

Treasurer: electricity supply blackouts

1984. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): What electricity supply blackouts were recorded in Ringwood, Bayswater, Croydon, Lilydale, Mooroolbark, Belgrave, Upwey, Tecoma, Monbulk, Boronia, Ferntree Gully, Wantima, Knox, Oakleigh, Carrum, Chelsea, Murrumbeena and Edithvale, respectively in 1997 and 1998.

ANSWER:

I am informed that :

Information relating to this question may be found in the independent Office of the Regulator General's report.

Transport: automatic ticket machines

1985. THE HON. M. M. GOULD — To ask the Honourable the Minister for Roads and Ports (for the Honourable the Minister for Transport): What proportion of the period since their introduction have

automatic ticket machines been out of service at the East Ringwood, Ringwood, Heatherdale, Croydon, Mooroolbark, Lilydale, Belgrave, Upwey, Tecoma, Ferntree Gully, Upper Ferntree Gully, Bayswater, Boronia, Oakleigh, Hughesdale, Huntingdale, Prahran, Windsor, South Yarra, Edithvale, Aspendale, Chelsea, Carrum, Seaford, Kananook and Frankston railway stations.

ANSWER:

Onelink Transit Systems, the operator of the Automated Ticketing System, has advised the Public Transport Corporation that East Ringwood, Ringwood, Heatherdale, Croydon, Mooroolbark, Lilydale, Belgrave, Upwey, Tecoma, Ferntree Gully, Upper Ferntree Gully, Bayswater, Boronia, Oakleigh, Hughesdale, Huntingdale, Prahran, Windsor, South Yarra, Edithvale, Aspendale, Chelsea, Carrum, Seaford, Kananook and Frankston railway stations were out of service for 3.9% as a proportion of time since their introduction including downtime due to vandalism.

Treasurer: United Energy distribution system interruptions

1988. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer):

- (a) What was the average interruption duration in United Energy's distribution system for the period 1 January 1996 to 31 December 1996.
- (b) What was the average interruption duration in the other distribution systems in the periods 1 January 1996 to 31 December 1996 and 1 January 1997 to 31 December 1997, respectively.

ANSWER:

I am informed that:

Information relating to this question may be found in the independent Office of the Regulator General's report.

Treasurer: electricity distribution companies carrier licences

1989. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): Which Victorian electricity distribution companies hold carrier licences for the purpose of constructing facilities to support telecommunications services and on what dates were these licences granted.

ANSWER:

I am informed that :

Information relating to this question may be found in the independent Office of the Regulator General's report.

Treasurer: distribution companies greenhouse gas strategies

1990. THE HON. M. M. GOULD — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): Do the terms of the licences granted by the Victorian Government to Victorian distribution companies require those companies to develop greenhouse gas strategies subject to audit by the Government; if not, why.

ANSWER:

I am informed that:

Information relating to this question may be found in the independent Office of the Regulator General's report.

Transport: automatic ticket machines malfunctions

1993. THE HON. M. M. GOULD — To ask the Honourable the Minister for Roads and Ports (for the Honourable the Minister for Transport):

- (a) How many refunds have been issued by Onelink for automatic ticket machine malfunctions since their introduction in early 1998.
- (b) What is the breakdown of refunds issued by metropolitan post codes.

ANSWER:

Onelink Transit Systems, the operator of the Automated Ticketing System, has advised the Public Transport Corporation as follows:

- (a) Of the tickets issued by automated ticket machines since their introduction in late 1997 until 27 November 1998, 0.02% have required refunds from Onelink as a result of machine malfunction.
- (b) Onelink Transit advises that these refunds are distributed across the metropolitan area. Onelink does not keep records of refunds issued by post codes.

Treasurer: power blackouts in Blackburn

1996. THE HON. D. A. NARDELLA — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer): What was the cause of the power blackouts experienced by Blackburn households and how widespread were these blackouts on — (i) 24 March 1998 between 7.15 p.m. and 10.25 p.m.; (ii) 7 April 1998 at 6.10 p.m.; (iii) 14 April 1998 at 10.40 p.m.; and (iv) 17 April 1998 at 1.00 p.m.

ANSWER:

I am informed that :

Information relating to this question may be found in the independent Office of the Regulator General's report.

Transport: automatic ticket machines

2001. THE HON. D. A. NARDELLA — To ask the Honourable the Minister for Roads and Ports (for the Honourable the Minister for Transport):

- (a) What is the current performance of Onelink in percentage terms in attending equipment calls.
- (b) How many ticket machines are currently located on the railway stations at East Ringwood, Mooroolbark, Croydon, Lilydale, Belgrave, Tecoma, Upwey, Ferntree Gully, Upper Ferntree Gully, Oakleigh, Prahran, Murrumbeena, Carnegie, Hughesdale, Huntingdale, Aspendale, Edithvale, Chelsea, Carrum, Seaford, Kananook and Frankston.
- (c) How many tickets have been sold by — (i) machines; and (ii) staff, at the stations listed above since their introduction.

ANSWER:

Onelink Transit Systems, the operator of the Automated Ticketing System, has advised the Public Transport Corporation as follows:

- (a) The performance in attending equipment calls for the week ending 27th November 1998 was 66.3% of all calls being attended within 1 hour. All calls are attended and fixed the same day with the exception of machines

subjected to major vandalism (like the corrosive liquid damage) and the occasional call shortly before the closing time of a railway station or depot.

- (b) The number of automatic ticket machines at East Ringwood, Mooroolbark, Croydon, Lilydale, Belgrave, Tecoma, Upwey, Ferntree Gully, Upper Ferntree Gully, Oakleigh, Prahran, Murrumbeena, Carnegie, Hughesdale, Huntingdale, Aspendale, Edithvale, Chelsea, Carrum, Seaford, Kananook and Frankston railway stations is 63.
- (c) At East Ringwood, Mooroolbark, Croydon, Lilydale, Belgrave, Tecoma, Upwey, Ferntree Gully, Upper Ferntree Gully, Oakleigh, Prahran, Murrumbeena, Carnegie, Hughesdale, Huntingdale, Aspendale, Edithvale, Chelsea, Carrum, Seaford, Kananook and Frankston railway stations 2,391,846 tickets have been sold by machines and 336,085 by staff.

Transport: Metcard information line

2002. THE HON. D. A. NARDELLA — To ask the Honourable the Minister for Roads and Ports (for the Honourable the Minister for Transport):

- (a) How many enquiries have been received by the Metcard information line since its establishment.
- (b) What is the current waiting time on the information line.
- (c) Who provided the information to the service on participating Metcard agents.
- (d) How many Metcard agents are operating, and by how much has the figure increased or decreased over the past six months.

ANSWER:

Onelink Transit Systems, the operator of the Automated Ticketing System, has advised the Public Transport Corporation as follows:

- (a) The number of enquiries received and processed by the Onelink Transit Systems Metcard Helpline between 19th August 1996 and 27th November 1998 is 59,331.
- (b) OneLink Transit Systems staff currently respond, on average, within 11 seconds to calls to the Metcard Helpline.
- (c) Information to the Metcard Helpline service on participating Metcard agents is provided by Onelink Transit Systems once a retail agent has executed formal agreements and has been trained in Metcard ticket retailing.
- (d) The number of Metcard agents operated by Onelink Transit and selling Magnetic Stripe Tickets for use on the Automated Ticketing System is 798 as at the end of October 1998. There has been an increase of 330 Retail Agents over the last 6 months.

Transport: PTC officers' overseas trips

2003. THE HON. D. A. NARDELLA — To ask the Honourable the Minister for Roads and Ports (for the Honourable the Minister for Transport): In relation to the recent Auditor-General's Special Report on Automating Fare Collection and the claim on page 11 that the 17 day overseas trip by PTC Officers was of no value to the evaluation process:

- (a) How many Commission Officers were involved in the trip.
- (b) When did it take place.
- (c) How much did the trip cost and who bore the cost.

- (d) Did the Minister for Transport at the time authorise the trip; if not, who did.
- (e) What were the official conclusions of the officers involved in the trip.

ANSWER:

- (a) Three Officers of the Public Transport Corporation (PTC) were involved in the trip.
- (b) The trip had a specific focus on management and operation of Automated Ticketing systems in various countries overseas and took place from 29 May 1994 to 21 June 1994, with the three officers following separate itineraries.
- (c) The total cost of the trip for all three officers was \$28,194.21. The cost was borne by the PTC.
- (d) PTC records show that the trip was recommended by the Chief Executive of the Public Transport Corporation at the time and authorised by the Secretary for Transport at the time.
- (e) It should be noted that the overseas visit was not an element of the selection and development process for the Automated Ticketing contract. The focus of the trip was to obtain information on the management and operation of automated ticketing systems and the PTC advises that in this respect the trip proved valuable.

Treasurer: government business enterprises

2012. THE HON. D. A. NARDELLA — To ask the Honourable the Minister for Finance (for the Honourable the Treasurer):

- (a) As at 18 November 1998 how many organisations in Victoria were defined as Government business enterprises giving details of these organisations.
- (b) How many organisations formerly known as Local Water Boards in Victoria are currently defined as Government business enterprises,
- (c) In 1997 and in the period 1 January 1998 to 18 November 1998 what sums have been paid by GBEs to the Victorian Government, and of this amount what proportion has been contributed by former water boards.
- (d) What regulatory supervision is applied to government business enterprises.

ANSWER:

I am informed that:

- (i) For a list of Government Business Enterprises (public trading enterprises, public financial institutions and non-budget sector), please see the Note 33 from the *Financial Statements for the State of Victoria 1997-98*;
- (ii) there are fifteen (15) non-metropolitan urban water authorities.

NB Local water boards - are defined as regional based urban water authorities and do not include metropolitan water businesses and rural water authorities;

Non-Metropolitan Urban Water Authorities

Barwon Region Water Authority
 Central Gippsland Region Water Authority
 Central Highlands Region Water Authority
 Coliban Region Water Authority
 East Gippsland Region Water Authority
 Glenelg Region Water Authority

Non-Metropolitan Urban Water Authorities

Goulburn Valley Region Water Authority
 Grampians Region Water Authority
 Lower Murray Region Water Authority
 North East Region Water Authority
 Portland Coast Region Water Authority
 South Gippsland Region Water Authority
 South West Water Authority
 Western Region Water Authority
 Westport Region Water Authority

(iii) The sums paid by GBEs to the Victorian government, including Local water boards, are as follows:

	Public Authority Income \$ million	Local Water Boards \$ million	%
1996-97	1,961.1	20.7	1.1
July 1 to December 31 1996	1,094.3	5.0	0.5
July 1 to December 31 1997	731.0	-	-
calendar 1997	1,597.8	15.7	1.0
1997-98	1,108.2	16.1	1.5
July 1 to December 31 1997	731.0	-	-
July 1 to November 30 1998	133.6	-	-
January to November 1998	510.8	16.1	3.1

(iv) Regulatory supervision is provided for in the following legislation:

State Owned Enterprises Act 1992
 Port Services Act 1995
 Audit Act 1994
 Urban Land Corporation Act 1997
 Rail Corporation Act 1996
 Melbourne Water Corporation Act 1992
 Transport Accident Act 1986
 Treasury Corporation of Victoria Act 1992
 Rural Finance Act 1988
 Australian Grand Prix Act 1994
 Water Act 1989